

CHILD LABOUR IN CALCUTTA

- a sociological study

SWAPAN KUMAR SINHA



The International Labour Organisation is paying increased attention to the problem of Child labour, and has been working for the elimination of this problem. In the third world countries, however, Child labour is a harsh reality ; it is neither possible nor feasible to stop this menace altogether under the existing socio-economic conditions.

Millions of children across the country are missing the carefree joys of childhood as hunger, deprivation and indebtedness of their parents force them into adult occupations. In Calcutta, the gateway of eastern India, thousands of children work in various job sectors. And this inhuman exploitation of yet to blossom human beings has been going on unabated since the days of the East India Company. Rural children are driven to the city by various motivations, the primary of them being the necessity to earn their livelihood. This book is a study of the lives of these poor children whose little hands and nimble fingers are constantly engaged in a variety of chores in the Calcutta Municipal Corporation area.

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NAYA PROKASH : CALCUTTA

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Dedicated
to
Toiling Children

FOREWORD

In 1959, the United Nations General Assembly issued the Declaration of the Rights of the Child which states, 'man-kind owes to the child the best it has to give... The child shall enjoy special protection and shall be given opportunities and facilities, by law and by other means, to enable him to develop physically, mentally, morally, spiritually and socially in a healthy and normal manner and in conditions of freedom and dignity... The child shall be protected against all forms of neglect, cruelty and exploitation'.

The protection of working children and the eventual abolition of Child labour are basic principles of the International Labour Organisation. From its very beginning, the ILO, in the Preamble to its Constitution, called for the protection of children and young persons. At the first session of the International Labour Conference in 1919, the ILO adopted the first of 11 conventions on 'Minimum Age for Employment', along with the first of 3 conventions on 'Night Work by Young Persons'. These international labour standards have become very influential, with more than 100 countries having ratified one or more of the international labour conventions on Child labour. Studies in various countries on Child labour clearly illustrate the catalysing effect of international standards.

The ILO also carries out research and information dissemination activities and provides technical advisory and other support services for national action against employment and exploitation of Child labour, including assistance in the formulation of national laws, establishment and strengthening of labour enforcement and implementation machinery, formulation and implementation of policies and programmes. Indeed, the International Labour Organisation has actively assisted the Government of India in developing its strategy and policy in respect of rehabilitation of Child labour, in designing pilot projects

in selected areas and in formulating a 'Child Labour Action Support Programme'.

The problem of Child labour has been a subject of serious concern in India and remains a persistent and ubiquitous one. Official estimates of the number of working children in India put the figure at between 13.6 and 16.5 million, with the majority of the children employed in the rural areas. A large number are also employed in such industries like carpet weaving, glass bangle manufacturing, diamond polishing, slate making and fireworks where work and working conditions are often hazardous.

The case study on the sociological import of Child labour in Metropolitan Calcutta, West Bengal by Mr. Swapan Kumar Sinha is, therefore, very timely and relevant. It brings out the circumstances which force many children to enter the employment market and the harsh and exploitative conditions under which they live and work. This is a well-researched and documented work with a historical perspective, solid statistical data and sociological insights and is a valuable addition to the growing material on the subject of Child labour in India. I wish to congratulate Mr. Sinha for this splendid work and recommend it to researchers, policy makers and all those interested in the subject and are engaged in practical action to rehabilitate working children.

Sunil Guha

Director

International Labour Organisation
Area Office for Bhutan and India

14 June, 1990

PREFACE

The present study reveals the import of Child labour as well as its concentration in the metropolitan city of Calcutta. An effort has been made to explore their sufferings in shanty areas of the town and to expose how they are being dragged towards the realm of darkness. In this study, opinions of knowledgeable persons have also been incorporated to examine their attitude and elicit a scientific solution to this age-old social problem.

I owe heart-felt gratitude to a host of Trade Union leaders, Labour Commissioners, Sociologists, Anthropologists, Social Workers and Journalists who had to spare much of their valuable time for forwarding their views.

I am deeply indebted to my revered mentor, Prof. P. K. Bhowmick, Department of Anthropology, Calcutta University, but for whose encouragement, catholicity and sincere guidance, even when he was sick, I would not have been able to complete this work. I also take the opportunity to thank my teacher, Dr. Bela Dutta Gupta, Ex-Professor of Sociology, Calcutta University.

I gratefully acknowledge the help and support extended by different Government Departments. I would like to express my gratitude at the personal level to Shri N. C. Deb, former Assistant Secretary to the Government of West Bengal, Finance Department, and to Shri D. Bhattacharya, Deputy Director, Pre-Census Unit, I.S.I., Calcutta for their constant help and guidance. My sincere thanks are also due to Mr. Sunil Guha, Director, International Labour Organisation, Bhutan and India for his act of kindness in writing the foreword to the book.

Dr. Sajal Bose, Senior Research Fellow, ICSSR, Dr. N. K. Das, Anthropologist, Anthropological Survey of India, Mr. Surathi Roy, Asst. Editor, Amrita Bazar Patrika, Dr. Manas Chowdhury, CRI, Dr. Ajoy Roy and Mr. Bhava Sindhu Roy have suggested many points for improvement of the quality of work.

I am also thankful to my friends, Sarbasree Subir Banerjee, Subhas Deb and Tapan Ghosh, who gave me encouragement and assisted me in the field study. I would like to put on record my thanks to my childhood friend, Shri Amiya Mukherjee, who kept me undisturbed in my research work. I shall be failing in my duty if I do not express my gratitude to my family members, specially my mother, Smt. Mahamaya Sinha and my wife, Dr. Anita Sinha, who extended encouragement and assistance by relieving me from discharging the essential household duties.

The voluminous typing work of the several successive drafts and the final version was carried out with remarkable finesse by Sarbasree Hrisikesh Mukherjee and Nil Kamal Das to whom I am also indebted.

Finally, I must thank Naya Prokash for their active and sincere interest in publishing the book.

Calcutta
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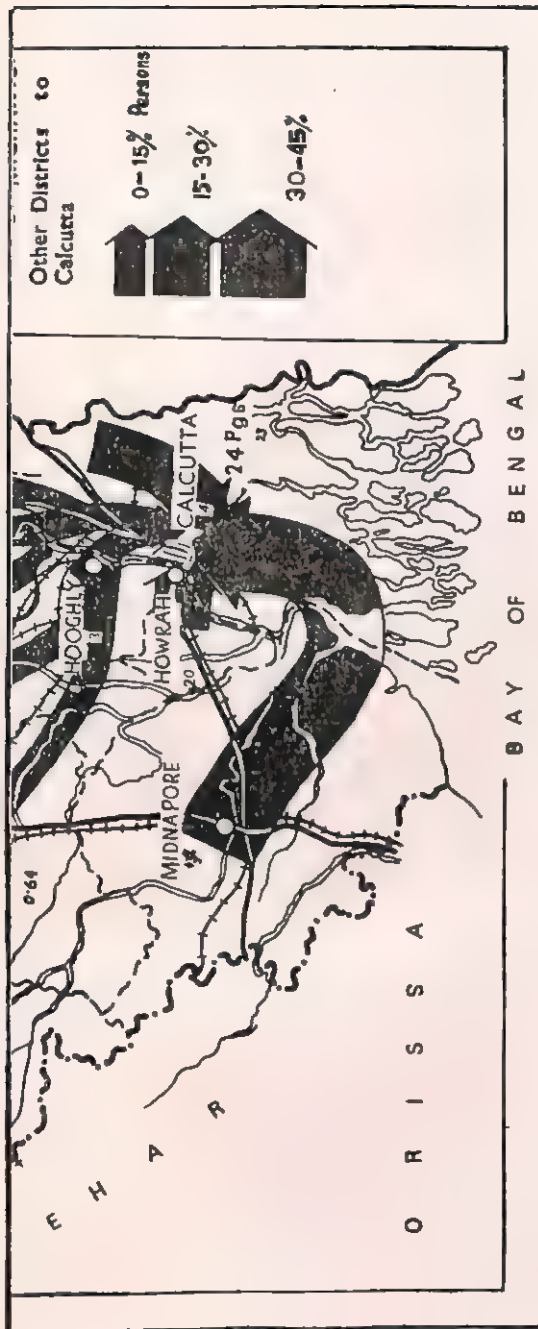
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Introduction

The Child is Father of the Man

—William Wordsworth

CHILD is a bundle of joys—a flower incarnate in person. A flickering smile of the child pleases everyone. The brightness and future welfare of the society is closely interwoven with the brightness of the child and its careful upbringing. Childhood is the most important period of life, as it shapes adulthood. The very initiation of life-making starts at childhood. The early lesson of the child starts from the cradle. Parents adopt different methods to rear up the child in different ages, to make it a happy man or woman later. The mother being closer, has a greater responsibility to train up the child well from the very infancy.

India has a plural society. Different castes, sects and communities live in it with their distinct identity. Indian social structure consists of various caste groups. A man, here, is regulated by his caste ; his social actions, movements and even occupations are determined by caste. The basic features of the society are of hierarchical divisions and assignments. In the wave of transition, the lower caste people cannot sail their boats for the lands of prosperous living. The old traditional values of a particular

caste exert a restrictive control on advancement of life of its members. They control as well as confine the child in every possible way within the caste and ethnic boundary. Each caste under different subdivisions pursue different occupations. Thus caste is identified by occupation in India. Each caste has its hereditary occupation.¹ The child has to follow the profession of the adult members of his family. He hardly gets any access to any other occupation.

With the advent of industrialisation, the social structure has changed everywhere. Industrialisation, coupled with urbanisation and the increasing democratic values among the people, have shaken the age-old caste system in India. The traditional joint family is breaking down now. As a result control of the family over the children and the economic security have lessened. Industrialisation has established a new occupational system which has opened up the door for choosing and accepting different types of occupations. Many new occupations have sprung up in place of old ones. The landless labourers, artisans and allied workers are leaving the countryside in the hope of getting new occupations. The child workers also take their chance in finding work in the cities and towns.

India is predominantly an agricultural country. Its basic economy is also agriculture-oriented. Backwardness of its economic structure compels most of the people to live in the rural areas. Two centuries of British colonial rule has disrupted the old rural economic system, but contributed nothing new in its place. The British administration mainly exploited our economy and resources. Later, our rulers inherited the vast natural resources and began to exploit it. The last four decades of independence has effected quick industrial and economic development, but it could not keep pace with the growth of population, mainly due to lack of proper planning. Nevertheless India has entered into the phase of urbanisation. The uneven growth of economy has created the cities which have become the trade centres. As a result, the products of a large part of the country pass through the city. To meet the demands of the city people, different commercial centres and eating houses have been established. The increasing demand for working people for the factories and other commercial activities and the gradual backwardness of the economy of the countryside have

dragged the rural people into the cities. A great percentage of these villagers are children.

In the poverty-stricken Indian society not much thought is given to the child. Illiteracy and age-old backwardness and overall traditional value-system often deprive the children from proper care. The deterioration of Indian economy started earlier, came on the surface in the present century. According to the estimate of 1988-89, 37 per cent of the people are living below the poverty-line. In the 1981 Census it is found that 76.27 per cent of the population live in rural areas. This is caused by the backward economic structure of the country as a whole. In spite of ardent desire, the people cannot maintain their child properly. In the hope of survival, the children come to the cities in search of work.

Child labour is not new in India. In *Arthasastra* Kautilya prohibited the trade of children as children were in his time being purchased and converted to slaves among some groups of people. In the primitive society, they worked as agents of the parents in the field, but now they work as the representatives of the parents in the workshop. Not only in India, but in many parts of the world, including some industrial countries, the social evils of Child labour were evident during the early days of industrialisation.

Child labour is in existence since the days of original inhabitants of the area, they were Bengali peasants, weavers, fishermen, hunters and small traders. But the Royal participation in the shipping of Hooghly in the later part of 17th Century changed the composition of city's population. With the introduction of Railways in the nineteenth century in the entire hinterland from Assam to UP and Orissa linked with Calcutta and the Child labour took a new form in the way of ethno-religious composition over the years. It is reported from the Gazetteer of Calcutta, August 11, 1831, two girls who escaped from the home of one Syed Hussain in Calcutta, complained the police that they were bought and employed as slaves.

According to the estimate of ILO, 1980 there were about 88 million Child labours (ILO counted children 10-15 years only). Among them 16 million in Africa, 68 million in Asia, 3.5 million in Latin America. According to the estimation Mr. Aseefa Bequele, the Condition of Work and Welfare Facilities

Branch, ILO and Prof. Japp. E. Doek, Coordinating Vice-President for Developing countries of International Society for Prevention of Child Abuse and Neglect (ISPCAN), in the year 1986 all of around the world 200 million children below of 15 years of age could be considered as labour force.²

Different organisations and departments present a number of figures on the basis of their own estimate. Child labour is often found in unorganised, informal sectors and sometimes as part time workers and their working nature is very temporary. A high percentage of child workers also attend schools and they are outside official statistics of Child labour, they are treated as students. Moreover, child prostitute is not treated as labour, though should be treated so as the girl is employed by someone into prostitution for economic need. In case of the organised sectors the figure of working children is collected on the basis of return. It is needless to mention that the forged returns of organised sectors in terms of Child labour, do not give correct figure. So it is difficult to get the correct figure of Child labour.

According to the Planning Commission the estimated Child labour was 17.36 million in the year 1983. According to National Sample Survey the total Child labour was 17.6 million. In the year 1987, the All India Trade Union Congress claimed that India had the highest number of working children, who exceeded a little over 10 crores. Operational Research Group, Baroda puts the figure of at 44.0 million based on a survey in 1980-81. Generally we have to depend on Census figure of 1981 which puts the figure at 13.59 million, though it does not include domestic child workers and child prostitutes.

The 1981 Census also points out that about 28.24 per cent of the Child labour are working in agriculture, constituting 8.98 per cent. Of the total labour force in agriculture in this country, 5.05 per cent of Child labour are cultivators, 14.21 per cent of total Child labour are employed in livestock, forestry, fishing, hunting, plantation, orchards, etc. Household and other industries have about 8.98 per cent of Child labour. About 2.44 per cent of the total child workers are engaged in trade, commerce, transport, storage, communication and the rest in construction, mining and other services. The Census report also reveals the fact that Child labour is more common in rural

areas, than in urban areas. 90 per cent of the total Child labour force are in the rural areas, whereas only 10 per cent are in the urban area.

Child labours are mostly engaged in unorganised sectors. The National Commission on Labour (1989) comments in its report :

“Our evidence reveals that employment of children is almost non-existent in organised industries. It persists in varying degrees in the unorganised sectors, such as, small plantations, restaurants and hotels, cotton ginning and weaving, stone breaking, brick-kiln, handicrafts and road building.”³

Child labour is in existence in various fields of work. Some children work as part of family labour while others work as wage-earners. Gerry Rodgers and Guy Standing (ILO Geneva 1981) employ useful categories to classify child workers. These are (a) domestic work, (b) non-domestic and non-monetary work, (c) bonded labour and (d) wage labour. Generally two broad classifications of them can be made : one is self-employed and the other is employed in any establishment. The self-employed children are engaged in all sorts of service in the ways of our living from the very dawn till night. The child carries your breakfast with newspaper, supplies rice in the market and all sorts of raw food, arranges palatable foods in the tiffin-time, polishes shoes of the customers and pulls your rickshaw even. In the city of Calcutta, the condition of the scrap collectors is very pathetic. They collect waste materials from the dustbins and from most shanty areas of the city. They appear in torn cloth with shabby dress with their gunny bags and sacks on their back. They collect waste paper, iron-scrap, glass pieces, bottles and many other allied things. Most of the scrap collectors live on the footpath or in roadside shades. In the self-employed group, there are both males and females. Here, the children have got the opportunity to exercise their freedom. There is no iron-administration behind their work. The duration of work varies in different types of work.

It is to be noted that most of the self-employed workers live with their family and come to the city at the very dawn and return at dusk or late-evening. A large number of children are engaged in different establishments and a major portion of the

working children are employed in domestic work, but a regular flow from the domestic works to employment in other establishments is noticed. This employment allows them to enjoy more freedom relatively and to come in contact with the city people.

A large portion of child workers are engaged in hotels and restaurants, tea-stalls and sweet-shops. These establishments can be sharply divided in two categories, one the posh-establishments for the higher income-groups, and the other for the lower-income groups. The number of posh-establishments are few in comparison to the ordinary ones. Unlike the hotels run by the Tourism Department and private organisations which provide lodging facilities and other modern sophisticated amenities, the others are meant to serve only edibles. Restaurants serve snacks and fried articles and many other light food. As there is no marked difference between the hotel and restaurant, both have been treated as one in this study. Moreover, the employers prefer to integrate the hotel and restaurant into one establishment by their nature of business. Sweet-shop is meant for serving sweet and other milk-made food. Tea-stalls serve only tea and snacks. It is found that some sweet-shops often sell snacks and tea, but these are treated as sweet-shop. Most of the city people depend on these types of establishments for their daily tiffin and meals.

A good number of stalls, built as single-shed on four bamboo posts with no fence, are buzzing with activity and thin boys with shabby dress are very active catering to the customers' needs. In order to serve the customer, the boy is moving from one corner to another, with handful of cups and dishes. He starts his work at dawn and will go to the bed when the city-dwellers plunge into deep sleep. They are at beck and call of the owner, who is manning the counter and is regulating all the workers. They have to work 15 to 18 hours without break. In cracking of glass, cups and dishes or any negligence in work cause physical beating and even sack from the service. Nature of work has designated the workers in different terms.

Child's working unit consists of employer, co-labourers and allied workers. They do not lead a family life. The child needs positive feelings from the parents. Studies of delinquent and maladjusted children show the destructive effects of parental rejection and lack of love. The lack of love in the parents may

result in the atrophy of the ability to love in children. In extreme cases, even when they are removed to environments of love and affection some delinquent children are unable to return positive feeling extended to them with anything but further hatred and hostility. Working children are sometimes forced by the senior workers to do some nasty works. Off-day begins with kite-flying, gambling, marble game and open mixing with the vagabonds. Being immature, a child does not know what is right and what is wrong. Lack of organised recreational facilities and housing inadequacies throw the working children in the grip of delinquency. In moulding their behaviour, the employer has to play a positive role.

During the period of its growth, the body and mind of the child are more or less plastic. Favourable environment is required for its proper growth. A good number of stalls are localised in dark areas, where there is no proper lighting or ventilation system. Long hours of work, late hours of night employment, continuous sitting or standing, straining a single set of muscles and working continuously on muddy wet soil cause various complicated diseases and sometimes permanent physical injury or deformity to them.

But in spite of all the hazards of city life, they like the city because it provides them food and shelter. Nothing but misery and hunger await them, if they return to their villages. Moreover, the city provides them a variety of excitements. A crowded city gives them a sense of mental refuge. It is only a minor section that cannot adjust itself with the urban environment, out of a sense of apathy towards the disgusted social and physical environment. One notable thing is that most of them express apathy towards the place of work. As a result, frequent shifting of working place is observed. In most cases, frequent shifting of the working place becomes their habit, which consequently may throw them in the lap of beggary.

Working children have also material and social heritage, common beliefs, habits, activities and interest like other children. Language is the most important medium for transmission of ideas. But the working Bengali child cannot communicate with his family as he very often totally forgets the language, being under long employment under a master coming from other state and speaking a different language. In his infancy

he gets adjusted with the working community's culture. Later he cannot appreciate and welcome Bengali cultural activities. Moreover, in comparison to the village, city varies widely in respect of size, complexity, culture and heterogeneity of population and character of the economic organisations. The traditional outlook yields place to new attitude. Thus, gradually they become identified with what is known as lowest cultural standard. It was even found that in the new social milieu, a Bengali child cannot speak in his mother tongue. For instance, he speaks in Hindi, as he works and lives in the midst of Hindi-speaking labourers as well as employer.

The total percentage of child workers in the country constituted about 5.55 per cent of the total population of workers in 1981.

Calcutta, a megalopolis of India, was originally a cluster of three villages : Kalikata, Sutanuti and Gobindapur. Calcutta emerged as a principal city of India during the British period and it became the capital of the British Empire in India. From the very inception of British Administration, Calcutta became the political, economic and cultural nerve-centre of India and subsequently it became the main business centre of Eastern India. Calcutta emerged as an economic centre for the rest of India with the concentration of industries, financial services and trade activities in the city and its surrounding areas. With rapid expansion of trade, commerce and political influence, Calcutta got its own sociological importance too. It also became the major urban centre of a vast region including rural West Bengal, Bihar on the north-west, Orissa on the south-west, Assam and the neighbouring Hill States on the north-east and the eastern states beyond the present-day Bangladesh.⁴

In view of the growing trade and commerce, Calcutta is treated as an Imperial City which resembles the old City of London. The city, having different religious and ethnic groups, has become the nerve-centre of India. Various religious, caste and ethnic groups of different places of India and abroad have concentrated in the city of Calcutta and thus it has ultimately begotten a new culture. Western values influenced the city people here. Bengalee as well as the culture of rest of India have, to some extent, thus been westernised. Since the very initiation of city life a host of social, religious and cultural movements were

started by some great and enlightened people, which spread throughout India and enlightened the people all over.

The socio-economic and geophysical condition of Calcutta attracts the inhabitants of surrounding districts and of other states. People of lower income strata prefer to rush to this city in search of food and employment. The partition of India has caused a large influx of refugees from East Pakistan (now Bangladesh), a large number of whom have settled in this city and in its fringe areas for earning their livelihood. Such migrations are continuing, as yet, from time to time. Thus Calcutta has become the most populous city of India.

The city's population increased from about 30 thousand in 1704 to 33.05 lakh in 1981. On the other hand the child population (0-14 age group) increased from 0.56 lakh in 1951 to 8.69 lakh in 1981. As a result, the rate of unemployment is higher and there is a huge waste of human resources.

The city of Calcutta accommodating a very large force of working children has been selected as the sample for this survey. Generally, people are confused about the area of Calcutta. The city core means the Calcutta Corporation area, which measures 36.92 sq miles or 104 sq kilometers, the subsequent merger of Jadavpur, Behala and Garden Reach has added another 69 sq km. On the other hand, the Calcutta Metropolitan area covers an area of 540 sq miles or 1450 sq kilometers. Calcutta is the city of highly unfavourable sex ratio with a contingent of 20,979 (1981) Child labour force, though there has been no systematic study to show how many working children there are even in the city of Calcutta. The percentage of Child labour is 1.80 of all workers in the city of Calcutta. Calcutta, at the same time, is one of the biggest industrial and trade centres of the world, having port facilities and air-linkage. So far as its geophysical character is concerned, Calcutta can be divided into two halves, north and south, by the narrow Bowbazar Street.

The demographic aspects of child migration and its relation with economic and social factors need to be studied to ascertain their problems and stop this social evil, where needed. This study analyses the causes and consequences of rural migration, particularly of the children. The social and economic 'pull factor' of the city, coupled with deteriorating condition of the migrants, are the important determinants of such migration. Economic and

social effects of exploitation of Child labour in various ways have been studied in depth and lacunae of the laws giving them protection have been examined critically and exposed.

The present study has been divided into seven chapters. Chapter I is the introduction which will acquaint the reader with the problem. Chapter II discusses the causes and processes of migration from the villages. Chapter III shows the nature of caste-occupations of the Child labour. Chapter IV exposes employment of children and its impact. Chapter V contains an attitude survey with observations. Chapter VI examines critically the prescribed legal protections for Child labour in India, in the light of the recommendations of International Labour Organisation and the last chapter—Chapter VII depicts the findings of the empirical study made by the author, and some practicable recommendations to remove this social evil and this age-old problem from the society.

The Census Authority has defined worker as earning just enough to maintain himself, that is 'self-supporting' by any activity or job, and any one who is not self-supporting is dependent. Among the dependents who earn nominally are categorized as 'earning dependent'. The total number of workers is thus the sum-total of the 'self-supporting persons' and their 'earning dependents'. According to 1961 Census, a worker was basically an economically active person, even if this contribution to work is extremely marginal. But the 1971 Census amended it by adding that if the individual was an economically active worker, he was classified as working class. This definition of workers shows, a person who is economically active is treated as worker. Different terms are used in case of Child labours as—'Working children', 'Child worker', 'Employed child', and 'Child labour' etc. In this study also such different terms have been used in different contexts.⁵

'Employed child' implies some contractual relationship between employer and child, it excludes helpers, part-time or full-time, particularly in family enterprises. The Gurupadaswamy Report of the Committee of Child labour, 1979, defined Child labour 'as distinguished from work experience has mostly negative attributes. Work when taken up as a means for the fulfilment of some other needs, becomes enslaving in character and deleterious in its impact. Labour in the case of the child is especially harmful

because the energy that should have been expended on the nurturing of his latent powers is consumed for purposes of bare survival.' In the rural areas, basically in agricultural sector, child is engaged part-time in father's occupation as a member of the family along with daily routine. It does not hamper normal daily life and paves the way of development. The working children in agricultural sector are treated as 'child workers'. But meaning of 'Child labour' and 'working children' is the same.

The Federal Childrens' Bureau (1968) has defined Child labour in the following manner :

"The employment of young persons is a social problem whenever and wherever it deprives them of the opportunity for normal development. If children go to work too soon or work under unfavourable conditions, the result is harmful not only to the individual but also to society... The problem should be visualised as a changing one, which lessens as higher standards are adopted, regulations improved, and employment restricted, but which increases as new light is shed upon the effects of industrial work on growing boys and girls."⁶

In our country with the advent of Factory Act interpretation of Child labour was made. The measuring rod was in terms of age. Rajani Kanta Das's (1934) definition of the term 'Child labour' refers to an economic practice and attendant social evil. Child labour as an economic practice signifies employment in gainful occupations and a material contribution to the labour income of the family ; only an age-line differentiates it from adult labour.⁷ According to Shri V. V. Giri, former President of India, the term 'Child labour' is commonly interpreted in two different ways : first, as an economic practice, and secondly as social evil.⁸

These connotations reveal that some sort of emotional feelings work in defining the Child labour. It is more a concept of social evil. But the disputed point is raised regarding the age limit of child. Legal apparel of different countries clothes the child with different age limits. In many countries, a child is considered to be a person of 15 or less. But in case of employment, different age limits have been imposed. Our Constitution defines the child

as one under the age of 14. Article 24 of the Constitution states :

“No child below the age of fourteen years shall be employed to work in any factory or mine or engaged in any other hazardous employment.”

The Directive Principles of State Policy in the Article 45 provide, ‘free and compulsory education for all children until they complete the age of fourteen years’. However, in this study, Child labour has been defined as ‘a person employed in any sort of gainful occupation under 14 years of age’, as determined by our Constitution. To study the concentration of age in different jobs, the age has been divided into two groups, e.g., from 6-10 and from 11-14.

Migration is the physical transfer of an individual from one place to another, or of a group, from one society to another. The transfer usually involves abandoning one’s social setting and entering into different one. In this study, a migrant is a person born outside the city. Here, the criterion is the birth-place, though there are cases where the data on place of birth may not be indicative of genuine migration. Influx of refugees have also been included in the same category and they are treated as migrant in this study.⁹

In pursuance of the objective of the research programme it was decided to cover a sizeable stretch of urban areas for the systematic collection of data from the working children mainly through personal interviews and participant observations. These working children represent a fraction of total labour force.

Working children engaged in hotels and restaurants, sweet-shops and tea-stalls in the city were selected for this study. It is worth noting that there is no female worker in these sample establishments. Not more than 2 children have been selected from one establishment. In selecting these establishments, two points were kept in mind—

- (1) densely located establishments area, and

- (2) establishments scattered at every corner of the city.

Hotels and restaurants, tea-stalls and sweet-shops located on 87 streets, roads and in some other areas were selected for this study.

The total number of working children covered by this survey

is 800. Making a list of all working children one case was selected after interval of every four, i.e., out of 800 child workers, every fifth case was taken from the list. This procedure has been followed to make it a representative one. But in case of chapters on 'Migration and Child labour' and 'Child labour and Caste-affiliation', besides using a few tables, all the 800 children have been counted for study.

In studying the working children in the city of Calcutta, observational technique, questionnaire have been followed. The researcher also tries to collect case-histories of individual Child labour and relate the same with the findings otherwise generated. Data collection was started from 1st January, 1977 and ended in the month of January, 1980. The child being immature, it is difficult to get answers promptly from them. Even they could not follow the questions. Moreover, fear and anxiety compelled them to remain silent or to give wrong answers in many cases. Much has had to be elicited therefore through observation. While asking the question, the mode of delivery, movement, and the total behavioural pattern of the child were observed. The researcher always tried to eschew the preconceived notion which may misrepresent the findings. Observation was made almost round-the-clock. To unfold the behavioural pattern and way of living, sudden visits at different times in different seasonal conditions were made. Even during the period of rainy season, the researcher observed the working children in the midst of heavy shower and water-logging for on the spot study. The participant-observation was also made. The researcher as a customer visited their establishments to make closer, correct and scientific observation. In times of participant-observation, one thing always was kept in mind, that the child worker should not, by any means, identify the researcher.

A questionnaire-cum-schedule was made to get the desired information from the respondents. To get proper answers, the respondents were interrogated and observed. The schedule used was classified into four categories. In the personal data classification, question and information regarding sex, age, name, present and previous address, caste, language and many other personal characteristics were included. For sociocultural background data, the whereabouts of father and grandfather, family and property and information of social and local neighbourhood

were collected. In the native village data, the relation with the village and many other related questions were included, and in the context of the establishments and attitude of the employer, different questions were set and put to them. A total of 64 questions were included in the schedule, and at the end, there was a space left to note the information regarding food, lodging and the condition and environment of the working and the living place.

The study has been divided into three phases. The first phase is related with Child labour, as a labour unit. For this purpose, the nature of Child labour was studied in different sample areas of the city of Calcutta. The next phase is the study of rural life of India. To unleash the character of rural life, it has been divided into two parts—social and economic, though both are interwoven. In studying the character of rural India, the questions kept in mind were—

(1) What is the traditional rural life, and

(2) What factors are affecting the change of rural life ?

In studying the rural life, the researcher had to depend on secondary sources. But factors operating behind the rural-urban migration were explored through interview of the migrants. To reveal the complexity of native relations, the researcher collected a handful of letters that passed as correspondence between the working children and their family.

The gap between theory and practice and gap between content and deed are experienced in all empirical study. The problem 'Child labour' was taken for study in West Bengal, which is known everywhere as a Left-oriented State, with a hope to get all sorts of cooperation from all corners, specially the statesmen. But the actual field experience of the author has reversed his idea. However, it would be wrong to say that no cooperation from these sources were obtained, at all, although these were not of the requisite degree. This hindered the pace of work and affected the material content.

No problem was faced in case of participant observation as the employer and worker could hardly identify the researcher in most of the cases, as he remained incognito. Even if replies to series of questions were not convincing by the employer, the researcher could not get entry into the establishment excepting a few. Almost all the establishments are unorganised. In case of establishments owned by *Biharis* and *Oriyas*, the

researcher was not allowed to ask any question on his first approach. They adopted all sorts of measures to desist the researcher from making enquiries, not they were ready to hear any sort of appeal or argument and in consequence, the investigator had to pretend as a Government Officer, as the last resort. This, however, yielded result. In some cases, they called up some followers to restrict the entry of the researcher.

However, the most difficult phase of the survey was started with the interrogation of the working children. The unwilling employer did not remain silent. They adopted different means to misguide the child workers. They designated the researcher as a Police agent or an unauthorised person, or a kidnapper. If one is convinced, it is easy to convince others. They try to show them as their relatives and hide them. Many of the working children unfolded their sorrows of life with a hope to get any sort of help, and many of them appealed to the researcher to manage a job for them elsewhere.

The third phase was a mixed experience of the researcher about the politicians and national leaders who pretend sympathy for the working class. From none of them could the investigator get any help. So also is the case with Government Officials. The researcher had to wait month after month, to get a bit of factual data or information. Most of them gave fabricated answers. This is a glaring example of difference between profession and practice.

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Migration and Child Labour

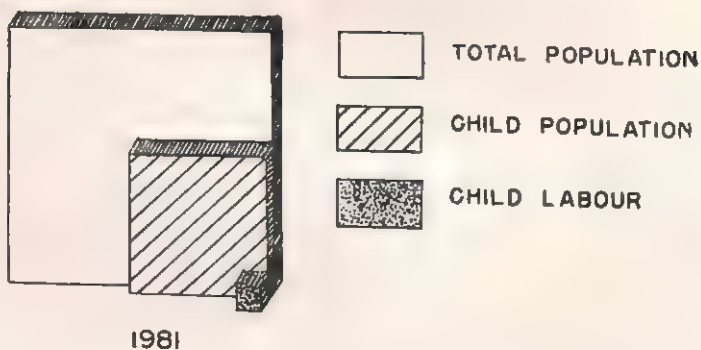
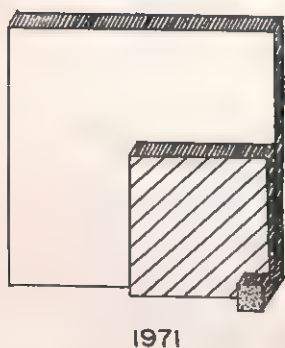
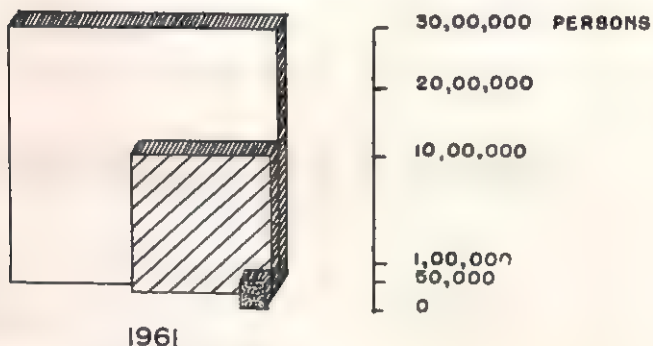
Mankind owes to the Child the best it has to give

—U. N. Declaration

THE incidence of migration is as old as man. Migration is 'shifting of dwelling places by an individual or a group'. Generally all types of migrations may be classified as 'pull and push factors'. Unemployment, poverty and landlessness act as push factors, and attraction of better prospects and better economic living elsewhere are the pull factors behind all migrations. In most of the cases, non-economic causes operate behind the pull factors. The city pulls the villagers for various reasons, but in case of push, the case is most strictly for economic causes.

Ever since the inception of British trading centres and later industrial activities in Bengal, the city of Calcutta has emerged as a vital economic centre of India, specially its eastern regions. The British made it the capital city and as a consequence, it gradually attracted into its fold all business and urban cultural activities. It is the gateway of Eastern India. Due to the peculiarity of its location and importance as a foremost trading centre, people from all sectors of West Bengal, Bihar, Orissa and from other neighbouring States come here regularly in large number. Unlike Bombay and Delhi, Calcutta is the only highly industri-

TRENDS OF CHILD LABOUR IN CALCUTTA

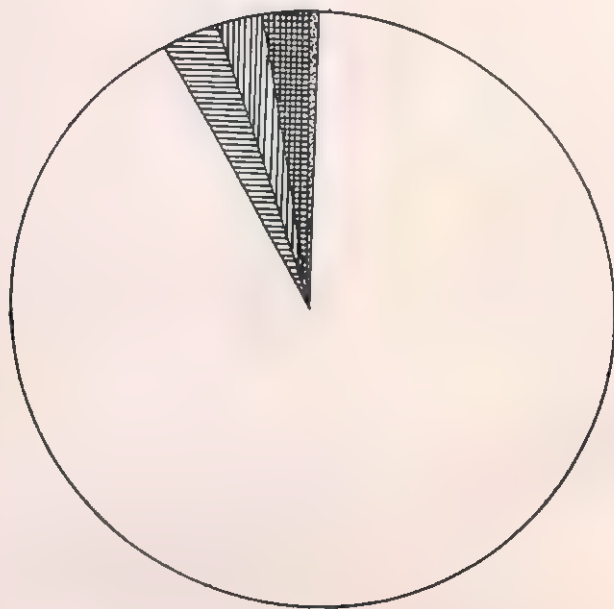


alised urban centre in the vast eastern region. It has got a good port and handles almost all foreign trade of Northern India. Naturally, the people are coming into this city from different parts of India, specially from the rural areas, for trade and commerce and other types of livelihood. Calcutta draws more migrants from rural to its urban areas than any other Indian city. The onward movements of migrants had started since the day of victory of the East India Company in the Battle of Plassey. According to the report of Captain F. W. Birch, the then Superintendent of Police, the total population was 2,29,714 in 1850, and in the year 1901, the population had increased to 8,47,796, which is now 33.05 lakhs. The various Census Reports on Calcutta estimated the growth of the population of the city at 176.7 per cent in 50 years since 1901. The annual rate of growth is roughly equal to 3.5 per cent. Annual rate of increase was 0.51 per cent from 1971 to 1981. According to the survey carried out by the Census Authorities in West Bengal, the scale of emigration seems to be much higher than that of immigration, the net emigration, being to the tune of 0.9 per cent annually. The largest number of immigrants usually came from Bihar and Uttar Pradesh. But their number is falling. Against 2,37,676 people from Bihar in 1961, there were 2,19,220 in 1971. The number of immigrants from Uttar Pradesh fell from 83,146 in 1961 to 70,715 in 1971. The number of job-seekers from Orissa dropped from 45,366 in 1961 to 33,490 in 1971. But in case of children the position is reverse. In the present study, children up to the age of 14 years have been considered. It has been observed that most of the child workers are migrants. But the alarming growth of child workers is due to the migration from villages of West Bengal in larger number now, as job-seekers. The number of children may increase further due to the increasing birth rate. But it is noteworthy that birth rate in the city of Calcutta is decreasing in comparison to other areas.

Children cannot generally even imagine to leave the protection of the parents for an unknown place. But they are doing so under circumstances. Child migration is the major socio-economic problem now.

Poverty is the main cause of Child labour migration. 91.25 per cent children left their villages due to poverty. There is no doubt that the cost of living in urban areas is generally higher than

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that in villages. Donald J. Bogue and K. C. Zachariah, (1962) concluded after their overall assessment of the Indian villages, as :

“with villager becoming progressively more oriented toward the new urbanised economy, and with migration channels firmly established, the nation seems to be all set to enter a phase of unprecedented urbanisation assisted by the prevailing family system and culture, rather than hindered by it.”¹

The Planning Commission admits the prevalence of poverty in the villages by quoting Gandhiji's famous 'prophetic' statement of 1916, "India's salvation lies in the villages, with the Indian farmer". Mahatma Gandhi calculated in 1931 that the income of the poorest Indian was about 2 annas or 12 paise in today's reckoning. In the mid-sixties, Ram Manohar Lohia maintained that the same income was to 19 paise, 20 per cent fall in terms of actual wages and decline by several hundred per cent in terms of real wages. The level of starvation must also have gone up by many times. The villages are socially and economically heterogeneous. So it is found that the rate of migration from the different areas varies. Migration is intimately connected with land-household ratio. Here the proportion of immigrant children of agricultural labour families, either owning a little bit of land or no land, is greater than those with land.

Communal disturbances are a new phase in the history of migration. India has been experiencing communal disturbances since the reign of Aurengajib. Later the British Government injected the virus of communal feeling into Indian body-politics to perpetuate their rule over India. But it had taken an acute shape when India had been divided into two parts during transfer of power. Infiltration from Bangladesh, erstwhile East Pakistan, to West Bengal is common. The influx has always gathered momentum whenever there are communal riots and economic distress. During the nine-month long liberation war of Bangladesh in 1971, 8 million refugees, mostly Hindus, had taken shelter in West Bengal. The communal disturbances took acute shape just after the assassination of Sheikh Mujibar Rahman in 1975, and after replacement of secularism by Islamic fundamentalism. The Government came openly to support the Islamic revivalism.

It is true that economic development involves the utilization of man-power. But the impact of rapid rising population retards the growth of economic development. Most of them are hungry and indigent people looking for paid manual work. They left their agricultural and non-agricultural sources of gainful livelihood. Economic insecurity threw them into despair, and depressed condition. They had no property or well-placed relatives in Calcutta. So they had to take shelter in the pathways of Calcutta, slum areas and semi-urban areas. Some came direct to the city without any hope of shelter, and some came to the known persons who were also in a distressed condition.

The survey shows that 3.12 per cent children are abandoned. In case of abandoned children, a chain-system is formed between vagrancy and employment. Sometimes an employer picks up the loitering child to work. A large number of abandoned children are engaged in beggary. Partition of Bengal is one of the main causes of such migration. Many of the abandoned children come from the refugee families. A large number of distressed families infiltrate every year into West Bengal. The rootless, floating and economically depressed families cannot integrate the members into a whole, and they ultimately lose the family ties. The general atmosphere of poverty, neglect and deprivation forces a number of children out of their families. In many cases, natural calamities too cause this. Many of them become vagrants and are sent to Reformatory or are condemned under the provisions of Child Delinquency Acts. Many factors are responsible for shifting the dependence of children from the shoulder of parents to the goodwill of the public or the society. It is the consequence of uncongenial economic and social factors. The irregular and indiscriminate sex contacts made by mentally retarded and socially incompetent couples lacking material means, give birth to unwanted children. These children are left unattended and uncared, for the obvious reason of poverty and are ultimately abandoned by their parents. Kidnapped children may also be abandoned ultimately in some cases. Even if both the parents are living, the child may be the victim of an evil eye of a professional offender. Often children are kidnapped for revenge, or black-mailing by ransom. In case of worker family, often a child is kidnapped to be engaged in begging or to mitigate sexual lust. The boy was "too young to recollect his past". The employer disclosed the fact, but how

could he know that the boy was abandoned by his uncle to grab his father's property, or the boy was the only child of his parents. In step-parents families too, often there is a sense of distance between the children and the new mother. In case of a step-mother, the gap between the father and the children of his first wife becomes wider day by day and these children are treated as economic burden. The mother remains busy with her husband and the father becomes more careful of his new wife and her offsprings. In case of step-father, the mother remains busy to take care of her newly wedded husband and children begotten by him.

Most of the abandoned children come from the large families. In some cases, the large size of the family causes conflict among the members, of which the children become victims. A child, until it becomes adult, depends upon the family. This dependence sometimes causes friction among the members for his minor lapses, which is also one of the important factors of child desertion and migration.

Sociological studies have revealed that a large family sends a larger number of such migrants, in contrast to smaller units. Poverty also intensifies the domestic quarrels between the parents, of which the children become victims ultimately. It was found in this survey that 2.5 per cent of all such children came to the city due to domestic quarrels. Ratan Misra, a 12-year-old boy, came from Madhubani of Bihar. He belonged to the Brahmin community and his family consists of parents, two sisters and four brothers. They had 3 acres of land. Ratan who was frequently tortured by his step-mother, left his village. He went to the nearest railway station and boarded a train for Howrah without knowing his destination. He had no idea about the city of Calcutta. After passing two days in Howrah platform he entered the city following the Calcutta-bound passengers rally. He started begging and made himself a pavement dweller. This loitering small thin child drew the attention of a shopkeeper and got an employment. The loitering urchin thus became a worker. Another boy of 13 named Subhash Maity of Midnapore left his house in Ghatal village when his drunkard father returned home at midnight and made an attempt to beat him with a stick. He vanished into darkness. After passing that night under a shed, he started for Howrah the next morning. He was brought to the

city by a neighbour of about his age. Thus he reached the city, became a worker in course of time, and augmented the number of child workers in the city. The two cases referred to pertain to this survey.

It also found that 0.63 per cent children came to the city with self-reliance. Not that they came themselves rather they were brought by others. Though the number is few, yet it is not negligible in the sense that the immature children who are not self-conscious and have no education, even sailed their boats in the wave of migration for being self-dependent. Some working fathers also bring their children to the city to train them up in their respective jobs, or in any other, to supplement their earnings. The core of village economy has broken now. So there occurs intermittent migrations of both adults and children among the poor landless peasants and artisans to the cities and industrial areas to secure a stable means of livelihood. Some such boys are engaged in sweet-shops, and some in cycle or motor repairing shops, or small engineering shops to help as boy-workers on nominal wages or lodging.

They told that at the beginning they have to manage food themselves ; later some of them are employed in technical work on free-feeding or on a small wage. Sweet-meatshop is preferred, as they get more wages and good food there. In some cases, relatives and neighbours bring them and secure such work. The sense that 'decaying village economy will not provide any job for them' is working as the 'push' force. Migrant city-dwellers have the idea that the city will provide them food and shelter in spite of all its vices. Even some of these migrant children came from relatively wealthy families ; at least they had no food scarcity in their families. Many of them came from semi-urban areas. This great city acts as a magnet for its various low-cadre employment channels and general domestic and commercial demands for Child labour. Besides, the hope of self-dependence works as the 'pull' factor.

In India, migration from rural to urban area is not a new phenomenon. In earlier times, people had moved from place to place to get new pasture lands and better soil for farming. Then migration was confined to one rural area to another, or forest to forest. Sometimes men in large numbers had to flee to save themselves from the onslaught of other

groups. But now a new pattern of migration has grown up with the development of money economy, opening up various employment opportunities. In the colonial administration, demand for labour brought these workers to cities and industrial areas to meet various job requirements. With the growth of industrialisation, such pull has immensely increased, taking the shape of rural-urban migration. Now it is a consequence as well as a pre-condition of meeting industrial requirements. It is not merely a physical movement, but a movement in space. Such workers include both adults and children. Most of the migrant children have thus come to Calcutta for employment and livelihood.

All social changes rest on the socio-economic conditions of different areas caused by the problems of population growth and resultant scarcity of jobs. The growth of cities occurs with the growth of business, to meet the increasing demands of the growing population. Thus spatial shifts occur and are associated with job and status index. With the change of physical environment, the social relationship also changes in the new job-patterns and new social setup. Thus migration stems out from one environment to another.

Generally such migration is made individually. The individuals, in some cases, had come for their own needs, and sometimes, of the family. Some are 'link-migration', i.e., father or neighbour had brought them. In this case, the migrant has little choice for a job. He depends solely on the man with whom he leaves. Such 'link-migration' is usually decided upon by the migrant's parents or other elderly relatives. Such migration generally occurs from larger and extended families. The child is sent with a relative or neighbour residing in the city. He becomes his caretaker. In certain cases, a villager requests a man working in the city to procure a job for his child.

It has been observed during this survey that many relatives of the villagers live in the city of Calcutta. So these migrants get the help of their relatives and other village people living in the city. It is worth mentioning here that even a Child labour working in the city plays a vital role in bringing other children from his village. In the study, it is found that 96.86 per cent children maintain close contact with their home. For the first one or two years in the city, the children love to remain deeply attached to

their village, psychologically as well as socially. They visit their homes at least once a year. They keep close contact with the family through letters and village-going colleagues and known persons. The nature of their income remittance and the interest of collecting information about the family members proved their attachment to their villages. They pay visit to the village home, and sometimes bring a new child and secure a job for him, and thus a 'chain-circle' of Child labour supply is formed. Everyone of them wants to increase the number of his neighbours in such jobs to help them and enjoy their association. The sense of fellow-feeling operates very strongly among them in this field.

The present study has revealed that child workers in Calcutta have come from different places of West Bengal, Bihar, Orissa, Uttar Pradesh, Tamil Nadu, Kerala, Madhya Pradesh, Andhra Pradesh and Bangladesh. There has been internal migration only in case of West Bengal.

It is worth mentioning that most of the migrant children have come from places at short distance. As distance increased, the number of migrants, decreased proportionately. Experience all over the world shows that migration is universally associated with distance. Lack of transport facilities and knowledge of opportunities in the city, are the major deterrents to long distance migration. So we find that migration from different districts of West Bengal is higher than that of other states. Even in case of migration from outside West Bengal, the number of children are more from the neighbouring States of Bihar and Orissa. The distance travelled by such migrants varied in the same ratio with the location of the city to which they come. The cities act as a magnet to pull people from the neighbouring areas and the neighbouring states.

Table 2 : 1 shows that migration from the districts of West Bengal is higher than that from other areas. Among the districts of West Bengal, migrants from Midnapore are largest in number. The district of Midnapore is bounded on the north by the districts of Bankura and Hooghly and the river Rupnarayan separates it from the district of Hooghly, Howrah and 24-Parganas : on its south is the coast-line of the Bay of Bengal. The surrounding areas of this district are also in destitute condition. Sometimes urban Howrah gives them refuge. Midnapore is the second largest and the second most populous district of West Bengal. It has

TABLE 2 : 1

AGE-GROUP AND CHILD LABOUR

<i>Places</i>	<i>Age-group</i>				<i>Total</i>	
	<i>6-10</i>		<i>11-14</i>			
<i>Districts of West Bengal</i>	<i>Number</i>	<i>Percentage</i>	<i>Number</i>	<i>Percentage</i>	<i>Number</i>	<i>Percentage</i>
1. Calcutta	9	1.13	12	1.5	21	2.63
2. Midnapore	10	1.26	192	24	202	25.26
3. 24-Parganas	6	.76	103	12.87	109	13.63
4. Howrah	9	1.12	84	10.5	93	11.62
5. Hooghly			15	1.88	15	1.88
6. Nadia	1	.12	11	1.38	12	1.5
7. Burdwan			6	.76	6	.76
8. Murshidabad	1	.12	4	.5	5	.62
9. Bankura	2	.25	1	.12	3	.37
10. Darjeeling			2	.25	2	.25
11. Malda			1	.12	1	.12
12. Birbhum			1	.12	1	.12
Outside West Bengal						
13. Bihar	25	3.12	190	23.75	215	26.87
14. Orissa	7	.88	54	6.75	61	7.63
15. Uttar Pradesh			21	2.62	21	2.62
16. Tamil Nadu			5	.62	5	.62
17. Kerala			4	.5	4	.5
18. Madhya Pradesh			2	.25	2	.25
19. Andhra Pradesh	1	.12	2	.25	3	.37
20. Bangladesh	4	.5	15	1.88	19	2.38
Total	75	9.38	725	90.62	800	100.00

contributed 25.26 per cent of the child workers. Of them 1.26 per cent belong to 6-10 years age-group and 24 per cent to 11-14 years age-group.

Next to Midnapore, is the position of the district of 24-Parganas. 13.63 per cent children have come from this border district. Unlike Midnapore, 24-Parganas have sent .75 per cent children of the age-group of 6-10 years, and 12.87 per cent of 11-14 years age-group. 24-Parganas is in the midst of Hooghly, Nadia and Calcutta. South 24-Parganas is surrounded by the Bay of Bengal. The district has got socio-economic importance by its very role

as a bridge between the metropolitan city of Calcutta and Bangladesh (erstwhile East Pakistan). This largest district has been divided into two parts, north and south, on Administrative ground. South 24-Parganas could not however develop equally with the north. Socially and economically, South 24-Parganas is very backward.

Howrah has sent 11.62 per cent children to the metropolitan city of Calcutta. Out of 11.62 per cent, 1.12 per cent belong to 6-10 years age-group. It is bounded by the Serampore Sub-division of the Hooghly district on the north, Calcutta and Barrackpore, Alipore and Diamond-Harbour on the east and Midnapore district on the west. It is a rural predominant area. The people are basically agriculture-oriented. There are also a number of small-scale cottage industries and engineering factories manufacturing mainly machinery and iron and steel products.

Calcutta itself also adds to the number of child workers. They constitute 2.63 per cent of the total Child labour force. But the working children in the city of Calcutta cannot be designated as 'migrants', as the measuring rod of the migrants is the 'birth-place'. But it is found that the parents of these children are migrants and poor peasants who came here with the hope of survival, but later they stayed here. Pavements and slums are the habitats of these working children, though they mostly live in their working place now.

Hooghly, Nadia, Burdwan, Murshidabad, Bankura, Darjeeling, Malda and Birbhum have sent 1.88 per cent, 1.5 per cent, 0.76 per cent, 0.62 per cent, 0.37 per cent, 0.25 per cent, 0.12 per cent and 0.12 per cent of child workers respectively. The number of migrant children from the district of Bankura, Darjeeling, Malda and Birbhum are low due to their distant location. Generally people of these districts migrate to the nearest urban areas. Children of Birbhum, Bankura and Purulia migrate to the industrial city of Durgapur. The city of Darjeeling, familiar city of the tourists, attracts the visitors from different parts of this country and abroad. The socio-cultural background coupled with the geographical location have made it a business as well as a tourist centre. Naturally children of the poor families of this district rush to this city.

The metropolitan cities like Calcutta, draw the attractions of strangers from other parts and states. The people of Orissa and

Bihar were in Bengal, as formerly Bihar and Orissa were under Bengal. Danial Huston Buchanan said (the Development of Capitalist Enterprise in India, 1966) that

“Bengal, which has the largest number of persons employed in factories, receives migrants equal to twice the population of Calcutta, proudly called by its inhabitants, the Second City of the Empire, over one-and-a-quarter million come from the neighbouring provinces of Bihar and Orissa and 343,000 are from the United Provinces. Later, for economic and social mobility, Bengalis also settled in Orissa and Bihar.”

TABLE 2 : 2
IMMIGRANTS FROM BIHAR

<i>Districts</i>	<i>Number</i>	<i>Percentage</i>
1. Darbanga	48	22.32
2. Muzaffarpur	25	11.63
3. Gaya	20	9.30
4. Hazaribag	15	6.98
5. Champaran East	14	6.51
6. Munger	12	5.58
7. Samastipur	11	5.12
8. Saran	8	3.72
9. Giridi	8	3.72
10. Nawada	8	3.72
11. Rohtas	7	3.26
12. Bhagalpur	7	3.26
13. Madhubani	7	3.26
14. Aurangabad	6	2.79
15. Vaisali	6	2.79
16. Sitamari	4	1.86
17. Sahapur	3	1.39
18. Patna	3	1.39
19. Nalanda	2	.93
20. Bhojpur	1	.47
Total	215	100.00

Table 2 : 2 clearly shows that Bihar occupies the top position among the states sending migrant children. Bihar is a border State of West Bengal. It is comparatively a less urbanised state in

India. According to 1951 Census the districts of Bhagalpur, Gaya and Muzaffarpur sent out the largest number of persons to urban areas of Bihar. But the district of Darbhanga sent the largest number to the city of Calcutta.

Migrant children are from the districts of Rohtas, Sahapur, Muzaffarpur, Aurangabad, Hazaribag, Saran, Giridi, Munger, Bhagalpur, Sitamari, Nawada, Bhojpur, Darbhanga, Samastipur, Vaishali, Champaran East, Patna, Gaya, Madhubani and Nalanda. It is found that of all the 31 districts of Bihar, Children migrate from 20 districts.

Next to Bihar, the wave of migration flowed from Orissa. Orissa was of a part of Bengal earlier. So normally, flow of migration from this State occurred to Bengal. Orissa is the border State of West Bengal. Economic backwardness coupled with 'link-migration' have pushed many children to Calcutta from interior villages in quest of livelihood. Table 2 : 3 shows the districts of Orissa from where they came.

TABLE 2 : 3
IMMIGRANTS FROM ORISSA

<i>Districts</i>	<i>Number</i>	<i>Percentage</i>
1. Cuttack	27	44.26
2. Balasore	23	37.70
3. Puri	4	6.56
4. Mayurbhanj	4	6.56
5. Sundargarh	1	1.64
6. Koraput	1	1.64
7. Sambalpur	1	1.64
Total	61	100.00

Uttar Pradesh holds the third position in regard to providing Child labour in the city. 2.62 per cent of them have come from that state. They came from the following six districts.

Table 2 : 4 shows that out of 56 districts of Uttar Pradesh, mainly 6 districts have sent such children. These are—Azamgar, Gorakhpur, Deoria, Sultanpur, Allahabad and Balia. In case

of migration from outside West Bengal, the influx is high from the districts of Bihar, Orissa and Uttar Pradesh.

TABLE 2 : 4

IMMIGRANTS FROM UTTAR PRADESH

<i>Districts</i>	<i>Number</i>	<i>Percentage</i>
1. Azamgar	8	38.10
2. Gorakhpur	7	33.34
3. Deoria	2	9.52
4. Sultanpur	1	4.76
5. Allahabad	1	4.76
6. Balia	2	9.52
Total	21	100.00

Tamil Nadu, Kerala, Madhya Pradesh, Andhra Pradesh and Bangladesh have also sent such children. 2.38 per cent have come from Bangladesh, 0.62 per cent from Tamil Nadu, 0.5 per cent from Kerala, 0.25 per cent from Madhya Pradesh and 0.37 per cent from Andhra Pradesh to the city of Calcutta.

Rural society forms the major sector of Indian Society. Indian economy is fundamentally rural. Agriculture is the principal means of livelihood of the people. The functioning of the rural-based economy is totally dependent on agriculture and cottage industry. The deterioration of rural economy which started a century earlier, has come to the surface in the present century. It has now turned into 'economy of wants'. In the year 1978, the Planning Commission estimated that 47.65 per cent people in the rural areas, and 40.71 per cent in the urban areas, live below the poverty line.

Moreover, the national wealth has been concentrated in the hands of a few. So the gap between 'haves and have-nots' is becoming further wider. The rate of capital formation in the country is very low. K. N. Raj, (1976) has pointed out that

"the rate of net capital formation, which was 15.5 per cent of the net domestic products in 1966-67, declined by about 12.75 per cent in 1974-75."²

The character of geophysical condition is different at different places of the country. So the rates of growth of agricultural products are also different. The village paupers are the landless cultivators, share-croppers, small farmers, marginal farmers and poor village workers associated with various agricultural works. According to 1971 Census, cultivators including agricultural labourers, constituted 68.63 per cent of the total work force of the country. They are in the midst of starvation now due to breakdown of the village economy, and it is becoming more acute day by day. The reconstruction of rural-based economy is totally dependent on the pick-up and revitalization of the village economy. Indebtedness among the cultivators and the labour classes have also bred such poverty. These are chronic socio-economic banes of rural India.

One of the most telling indicators of grinding poverty in rural India is the number of children among the agricultural labourers, that has increased by leaps and bounds. In 1950-51, such children constituted five per cent of the agricultural labour force. In the year 1901, the composition of men, women and children in the agricultural labour force was 50 : 40 : 10. The trend of the alarming increasing rate is continuing. The number of child agricultural labourers increase faster by 80 per cent than of women and adult agricultural labourers. Still 93 per cent of the child workers are living in the villages.

Poverty leads to population growth, as the uneducated, idle village people are more concerned with procreation. According to 1971 Census, the population of India as on 1st April, 1971, was estimated to be 54.8 crores. It is also found that from 1961 to 1971, the rate of increase was 25 per cent.

Rapid multiplication of the number of children causes more poverty and shrinks the standard of living, as when the total resources are enjoyed by a larger number of people the share of each person becomes smaller. This is the basic cause of poverty and failure of the Government's Welfare Schemes to provide food to many mouths. Population growth and poverty always form a 'vicious circle' and one leads to the other. Poor and illiterate people have generally larger families. On the contrary, well-off sections have smaller families. The former have no idea about family planning and its needs ; rather the increasing children are considered as assets, who would earn for the family when they

will grow up ; but the latter want small families in order to bring up their children as best as they can and to maintain their standard of living.³ Every country which has lower per capita income, has the tradition of increasing population. All economic developments are thus retarded by the impact of increasing population.

The influx of people from Bangladesh and Nepal, in addition to other migrants, have made the land-man ratio problem more acute. It is reported (*The Statesman*, Calcutta, 1981) that of the 8 million refugees from Bangladesh who came to West Bengal in 1971, over 2,00,000 never went back.⁴ A new trend of development in agriculture which employs machines is intensifying poverty, as a large number of labourers are made unemployed by this process. When poverty and unemployment are increasing by leaps and bounds, the use of technology and scientific machinery in agriculture creates surplus labour, which ultimately leads to the fall of national income as the gain in production is offset by the large unemployed groups.

The economic condition of West Bengal is rapidly deteriorating. From 1961 to 1971, it is estimated that the number of landless labourers have increased by 10.45 per cent. More than 7 million workers are dependent on 13 million acres of cultivable land in West Bengal. Due to lack of capital and irrigation facilities, subdivision and fragmentation of landholdings and lack of proper inputs, the agricultural development in the State has been hindered.

The process of displacement of cultivators from agriculture to other fields started in the 18th century, and it is continuing on a larger scale even now. The fact is borne out by the Census Reports of 1951, 1961 and 1971. In every Census Report, the number of landless agricultural labourers have gradually increased. In West Bengal, about 60 per cent of the people depend on agriculture. The land-man ratio is one bigha, whereas in the rest of India, it is two and a half bighas. These huge number of landless agricultural labourers are off-fed and half-fed. For their livelihood, they have to depend on loan from the money lenders. To pay the loan, they sell their labour, which consequently makes them 'bonded labour' or slaves. It is often found in Midnapore, 24-Parganas, Bankura and Purulia that the marginal farmers have mortgaged their little bit of land to the land-owners. In

many cases, different ritual performances and marriage of relatives compel the villager to procure the requisite money in exchange of little bit of the land he has. In the districts of Nadia, 24-Parganas, Midnapore and Hooghly, the marginal farmers have to sell their total production to the 'money-lenders' as per agreement. In times of harvesting, these marginal cultivators meet up the expenses by loan. An indebted poor peasant hands over the major part of his produce to the money-lender to settle his debt, wholly or partially. Thus the total fruits of his labour are enjoyed by the money-lenders and landlords. As a result, the small and marginal farmers cannot invest in their own lands for better cultivation and raising their production.

Shri D. Bandopadhyay, former Labour Commissioner, West Bengal, made a case-study of two villages in the district of Bankura to unfold the appalling living conditions in rural Bengal. The two villages are Saharajhora and Hataswria situated within the jurisdiction of Barjora Police Station of Bankura. One noteworthy contrast is that though the giant Durgapur Industrial Complex is located in the adjacent area, yet these landless people did not get any employment there.

The report of D. Bandopadhyay (Poverty in Rural Bengal, 1977) stated

"Saharajhora, an old village, is a village of higher and lower castes. Landless labourers belong to Lohar and Bagdi community. The land-owners are the members of the higher castes, mostly Brahmin and Kayasthas. Two systems are in vogue in employing agricultural labourers. One is called in the local dialect 'lingo-Gatehemunish' (contract labour). Naturally, the land-owners prefer the contract labour. According to the system, land-owner makes a contract with labour."⁵

During the peak agricultural operation, he is given 2 to 2½ paise (a local volumetric measure) of 'muri' (puffed rice) at 10 a.m. as breakfast. He is also given a main meal at 4 p.m. in addition he gets 3½ to 4 paise of paddy as wages. But during the harvest, the wages are something different from those prevailing in Saharajhora. The demographic composition is also different. The Muslims were ex-zamindars and the caste Hindus are the land-owners. Landless labourers are also mostly Muslims.

Availability of labour in this village is much higher than in Saharajhora. The average wage rate for agricultural labour during the peak agricultural season is Rs 2 per day with 2 paisa of 'muri' valued at approximately 50 paisa, bidi worth 10 paisa and two table-spoons of mustard oil. Making a total of Rs 2.70 per day. This rate, they get for only 6 to 8 weeks in a year, spread over two periods of transplantation and harvesting. For the rest of the year, the wage rate varies between Re 1 to Rs 1.50. The fringe benefits, however, continue as before. Indebtedness among the agricultural labourers in the village of Hatsuria is very high. A large number of them stated that they were indebted to the extent of Rs 200 to Rs 600 to the *Babar* (Mahajan) of the village. The off-fed and half-fed farmers of these villages, leave their place with labour contractor, who pay the initial transport and provide living accommodations in shanties in urban area of Burdwan for their livelihood. The grown-up children who are working as cowboys in the fields, also leave their family with the hope of survival for shanty-towns.

The migrants covered by this study are children. As Child labour their age limit is 14 years. But Table 2 : 2 shows that they belong to two age-groups (6-10 years and 11-14 years). The study also reveals that the concentration is more in 11-14 years age-group. It is worth-mentioning that 9.38 per cent children of 6 to 10 years age-group have come to the city. This is a tender age. On the other hand, 90.62 per cent children belong to 11 to 14 years age-group.

Table 2 : 5 shows that families of 56.25 per cent children have no land. They are landless labourers. Only 6.86 per cent have only residence and no cultivable land. The table further shows that 30.00 (2.5+13.75+13.75) per cent children are from the marginal farmer families. 6.89 (5+.63+.63+.63) per cent small farmers have sent their children with the hope of getting a job. Many of the small farmers can hardly be distinguished from those who are officially designated as agricultural labourers. The data collected show that high-level of migration occurs from relatively 'no-land groups'. Such migrants provide the evidence that there is a close link between land-deprivation and the propensity to migrate.

Migration is a complex process. Various causes lead to migration. In developed countries, migration is considered as a 'symbol

TABLE 2 : 5
PATTERNS OF RURAL LAND OWNERSHIP

<i>Sl. No.</i>	<i>Rural holding</i>	<i>Number</i>	<i>Percentage</i>
1.	No land	90	56.25
2.	No agricultural land, only small holding (.02-.17 acres)	11	6.86
3.	Small holding (.17-.33 acres)	4	2.5
4.	Small holding (.33-.66 acres)	22	13.75
5.	Small holding (.66-1.33 acres)	22	13.75
6.	Medium holding (.33-3.33 acres)	8	5
7.	Medium holding (3.3-5 acres)	1	.63
8.	Medium holding (2.66-8.33 acres)	1	.63
9.	Large holding (13.33-16 acres)	1	.63
Total		160	100.00

of progress, for it indicates further progress of trade, commerce and industries and mobilisation of the unemployed. The 'pull-factor' is mainly operative in such cases, and a major portion of migrants come from urban areas to meet the needs of the new industries. But in countries like India, migration is the indication of economic backwardness and rank poverty of rural life. It is found that most of the migrants have come from rural areas. Only a few have come from semi-urban areas. The migrants are pushed out of their native places, having to live in a starving condition. Thus poverty has led to their migration to the cities. Rural-urban migration is an indicator of inequality. The half-fed and off-fed children come to the city for survival. 56.25 per cent of such children have come from the families of landless cultivators. Economic differences among the households, however, cause differential incidence of migration. India is a country of vast natural resources. But it remained unutilised so far. The British Government did not take any initiative in this respect, to protect their own trade and commerce. The Imperialist Power never allowed their dependent colonies to be economically self-sufficient. Rather they prevented all sorts of development so that India could not compete with their motherland. But after independence, our national leaders were absorbed in political manoeuvring and game of power, rather than directing their attention and energy towards economic development. Technological backwardness in agriculture, industry and transport, and

little efforts made for industrialisation have retarded the economic growth of the country. Moreover, social injustice based on caste have bred rank inequality among the poor and the rich. The rich have become richer and the poor, poorer. If it is allowed to continue, the rate of migration from the rural areas will continue in larger number disturbing both economic and social equilibrium.

Another notable fact is that a higher rate of migration has occurred from the nearby areas. It has been found from the study that easier access by transport or by walk has accelerated migration. Long distance has a deterring effect on migration. Migration is described as 'a chain-pulley', linked and 'circular'. In the present study, all such migrations are linked. Established migrants persuade their starving neighbours to migrate.

The poor villagers also request their city-going neighbours to procure a job for their children. Thus a rural and urban chain is formed. If it is continued unabated, the city of Calcutta will be over-flooded by migrants in a few years, and the basic structure of the city will be threatened, and it is bound to be the most crowded city in India. Driven by the acute poverty, they leave their villages and become the floating children of the city. In this process, the joint families are weakened and inter-generational relationships crack. A degenerate family results into a breeding place of abandoned and neglected children who subsequently add to the number of child workers. Moreover, the communal disturbances should be prevented at all costs, both in this country and in Bangladesh in order to check the flow of migrants across the border, which occur from time to time.

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3

Child Labour and Caste Affiliation

*Bestow blessings on those
Little, innocent lives
Bloomed on earth,
Who have brought the message
Of joy from heavenly garden*

—Rabindra Nath Tagore

CASTE plays a very important role in the Indian social system. In the Hindu Society, it acts as a binding tie as well as a regulator, that demands observance of some formalities by an individual. As the caste system has been organised in hierarchical order, it generally takes the shape of class divisions. It denies equality in many socio-religious and economic spheres to an individual or a group of lower stratum and compels them to accept and act in a particular traditional way.

Caste or 'Jati' is, in fact, a localised corporate group of different sects. By birth, a man instantly becomes a member of a particular 'Jati' or caste and remains so, until and unless he breaks away from it or is ostracised for violation of its customary rules and regulations. Caste is also an endogamous unit. There is a graded hierarchy in the caste society. Due to such hierarchical gradations, some differentiating notions relating to pollution and ritual purity are generally associated with these groups. All the social

values, attitudes and conventional outlook are discernible in the social fabric of individual castes. Caste members, under different sub-divisions also pursue different occupations. These occupations and caste groups are closely interwoven in the rural life, such profession or occupation offers a particular social position to a man, and his social status is determined by it. In rural life, the economic class structure is also determined by caste hierarchy.

This caste character is, however, found to take different shapes in different regions. The link between caste and region is also very close. Even the geo-physical and political condition of the localities inhabited by different castes are characterised by its own socio-economic system. M. N. Srinivas, (1978) has asserted that

“the boundaries were mobile over a period of time, at any single moment they constituted effective barriers between people living in different Chiefdoms. Such a political system naturally imposed severe limits on the horizontal extension of caste ties. In short, political frontiers determined the effective, if not the minimum social space of each caste living within them. The fact that over a period of time, the boundaries were mobile, meant that cultural ties frequently cut across the existing political boundaries.”¹

Such cultural ties, however, often wipe out the territorial barriers. The two Hindi speaking States, Bihar and Uttar Pradesh, are in close proximity in respect of culture, traditions, occupations and ways of living of the people. The difference of geo-physical environments may have some psychological differentiation, but there can be hardly any major difference among the same castes of the two States.

In India, each caste is identified by its traditional calling. Each caste is associated with certain occupations through the ages, which are called its traditional occupations. For example, the Kumar (potter), Darji (tailor), Lohar (blacksmith), Chutar or Barhai (carpenter), Nai (barber), Chamar (skinner and tanner), Teli (oil-presser), Gujar (cowherd), Gadariya (shepherd) have the above functional occupations in the caste hierarchy. These names are commonly found all over India, though in different regions they usually add the name of the region as a prefix to the caste name, such as, Gujrati Chamar, Malwi Chamar and Desha

Chamar,—Gujrat, Malwa and Desha being the names of the regions from which these three castes have hailed.² Risley identified these occupation names with caste solidarity. He wrote

“the Brahmins are priests ; the Chamars and Mouchi work in leather ; the Churhas, Bhangis and Doms are scavengers ; the Dosadhas are village watchmen and messengers.”³

Though there are certain castes who do not follow any specific occupations, such as, the Sadgops, Solankis, etc. There are also some people who are addressed only by their occupation names, without mentioning their caste affiliation, such as, Barafwala (ice-seller), Hakonwala (butcher), Bania (shopkeeper). In a number of cases, generally in Uttar Pradesh, some castes do not show any association with specific occupations, such as, Srigaur Brahmin, Rajput, Khati, Bhangi, Bhambi, Bagri, Bargunda, etc.

The caste system has undergone various transformations over the time. To comprehend the causes of such changes as well as the character of castes, it will be worthwhile to make a difference between the castes in the Pre-British and the Post-British period. The Pre-British castes were basically rural-oriented. Edmund Leach, (1960), regarded dominance of castes as an integral element in rural caste system of Pre-British period. He also stated that the landowners being compelled to utilise the labour and services of other castes, the grouping of people into different castes was consolidated, which tagged them to each other for performing some basic economic activities. Going further he wrote,

“it is a system of division of labour from which the element of a competition among the workers has been largely excluded. The more conventional sociological analysis which finds an analogy between castes, status groups and economic classes puts all emphasis on hierarchy and upon the exclusiveness of caste separation. Far more fundamental is the economic interdependence which stems from the patterning of the division of labour which is of a quite special type.”⁴

But with the passage of time, the growing population have changed the rural social structure. In traditional India, land-owners came from ritually high status castes, such as, Brahmin and Kshatriyas, and they were sharply distinguished from dominant peasant castes. M. N. Srinivas in his study of ‘Rampura

village in old Mysore' records that a sense of pride in the ancestral caste persists there. The so-called lower castes dominate over their traditional occupations. He further commented that a dominant caste leader is obliged to invite members from the artisan and labouring castes with offers of land and other incentives to make the caste society viable.

With the advent of British, a new system of education, spread of Christianity and new economic occupations were introduced in India. They established new types of educational institutions. But the people of lower social hierarchy were not educated in the same order. The ladder of caste hierarchy became unstable. The lower ranking castes, such as, Chamar, Dhopas and Scavengers did not come out of their own traditional occupations. On the contrary, their ways of living veered into several directions. The newly educated blacksmith and potter uplifted their ways of living. Rapid economic changes replaced certain traditional occupations. The Chamar was forced to join agriculture in certain places, following the heavy leather export and its extreme shortage. The modern imported industrial and consumer goods also destroyed the indigenous industries. Thus the caste-bound traditional occupations were gradually replaced.

Thus the lower-ranking castes got entry into the new industrial civilization and economy. Such caste mobility changed the rural caste structure. Some lower ranking people lodged complaints in the Law Courts seeking protection from such caste profanity. In the process, the birth-right of Brahmin who belonged to the highest caste in the echelon, was also threatened. Under the old regime, the civil liberties enjoyed by the lower castes, were subject to the whims of the Brahmins. But the British Administration partly protected their civil liberties and considered the cases of infringements in the court. Though full justice could not be ensured, yet it paved the way to pull up these down-trodden people from their dark fate. In the year 1898, M. C. Ranade, (1906), an eminent social reformer, said that social transformation in India was brought by the British. He wrote,

"...The country is in a transition stage, passing from semi-feudal patriarchal conditions of existence into a more settled and commercial order of things...from the laws of custom to the rule of competition... . In all countries, property, whether

in land or in goods, must gravitate towards the class which has more intelligence and greater foresight, and practises abstinence ; and must slip from the hands of those who are ignorant, improvident and hopeless to stand on their own resources. This is a law of Providence and can never be wisely or safely ignored by any practical statesman for any fancied or sentimental considerations. As long as the differences in the habits and education of saving few, represented by the Bania and the Brahmin classes, and the spending many, who count by millions among the military and the cultivating classes remains good, property will gravitate from the one class to the other notwithstanding all prohibitory legislations...’’⁵

After independence, various socio-economic developments and consequent rapid urbanisation coupled with many new institutional approaches for safeguarding the lower castes from economic exploitation and protecting their democratic rights have eroded the age-old caste system. Rapid industrialisation is attracting more and more people of the villages to urban areas. Indiscriminate economic growth around the cities also push the poor villagers towards cities for securing jobs. This tends to weaken the caste ties. The village community is no longer isolated from the rest of the country. The joint family is on the wane. The road and transport developments have also a direct impact on the village agricultural economy. Industrialisation and urbanisation anywhere pave the way for rapid changes in the social order. This has also occurred in India. Besides, the partition of India has changed the occupation patterns as well as the traditional caste structure. People who left Pakistan for India, have adopted any sort of occupation for their livelihood, irrespective of caste. It is now found that a higher caste member is pursuing a lower grade occupation. But the peasants of any caste have mostly settled themselves in agriculture.

The Panchayat System and Community Development Programmes introduced in the villages have aroused the sense of democratic values among the rural people, which have taught them to pay due respect to each occupation. The people have been granted universal franchise and equal rights in all spheres under the Constitution. This has dispelled the notion of ‘high

and low' among different groups. Further, the Land Reform Acts have effected transfer of lands from the ritually dominant and privileged castes to the peasants, who maintain their own traditional occupation of agriculture. The ritually higher caste people are now leaving the villages for the cities in search of other jobs. The emergence of nationalism has also affected the caste system, because it has imparted a great deal of self-consciousness and the low caste people no longer consider themselves as belonging to inferior groups by birth.

Caste structure has been taking a new shape by way of conversion. It is the outcome of pervading poverty, caste conflicts, practice of untouchability and fanatic religious dogma. Unlike Christianity and Islam, conversion into Hinduism occurs in an indirect way involving certain lower castes and sects. The traditional idea of superiority of a particular religion intensifies the conversion process. The prevalent idea of the members of every religion is that 'conversion is a holy work'. This is done primarily through welfare works among the backward classes. Since the advent of the Europeans on the Indian soil, conversion process has been rampant, as it was their ruling principle.

In course of various interactional phases and due to closer contacts of various groups at different contact-situations, many changes are taking place from time to time and place to place. Consequently, a good deal of social mobility is noticed among many groups of people or castes in their new alignments attempting to raise their social status, both through violent or peaceful organised efforts, as the situation needed. Against this caste system, many a movement has been launched but in spite of all these efforts, castes have become reinforced again and reorganised into new types of castes and sub-castes on socio-economic stratifications, as observed by Mathur, (1974) in his 'Malwa village in Madhya Pradesh'. He has observed,

"with the emergence of urbanisation, castes have been divided into sub-castes, having special names, in accordance with their occupations. It is found that the people of lower castes want to get entry into higher castes there. Gradual integration with the higher castes will place them on a higher level by creating a separate ranking in caste hierarchy."⁶

Though, untiring efforts are made by the social reformers to change the caste-system, but the barbarous atrocities perpetuated on the lower castes, prove that caste hierarchy is not only active, it is becoming more and more stringent and harmful.⁷

The working children covered in this study have come from different families of different parts of India. Table 3 : 1 shows the castes community pattern of Child labour coming from different States and working in different establishments in Calcutta.

Table 3 : 1 shows that the 692 children interviewed, have come from thirty-four castes and sects. The highest number of children belong to the Mahisya caste. 108 children have come from the Muslim community. Likewise, Table 3 : 2 shows caste and sect of child workers hailing from different districts of West Bengal.

Table 3 : 1 shows that children of the Muslim community of West Bengal, Bihar, Orissa, Uttar Pradesh and Kerala are also engaged in various establishments in Calcutta, constituting 13.5 per cent of the total working children surveyed. The Muslims of India could not totally eschew the influence of the Hindu caste system. So they have been included in the ladder of caste hierarchy on the basis of their traditional occupations. But social stratifications among the Muslims are quite different. They have no caste system. They have only sects and economic status difference. Modernisation, coupled with urbanisation, have also played a significant role in changing the social system of the Muslims. No system of pure and impure categorisation or grouping prevails among them. There is no religious sanction against any Muslim Sect. The socio-economic changes among them are transitional and very slow. Even occupational specialisations among them conform to the system of endogamy. But every sect of the Muslims in different parts of this country are not associated with specialised occupations. Bhattacharya, (1967) in his study of a village in West Bengal has stated that, 'each caste of rural Bengal is identified with traditional occupation.'⁸ It can be argued, however, that there is some difference in the degree of ranking of castes and traditional occupations in different geographical milieu of this country. However, in rural India and in the lower grade of occupations, the link between a caste and its occupation is very rigid.⁹

In this study, the occupations have been classified in the following manner :

- (1) service,
- (2) business,
- (3) cultivation,
- (4) daily labour, and
- (5) priesthood.

The criteria used to measure the socio-economic status of the employees, —are their income, education, and nature of work. Both individual income and education have been correlated with one's occupation. Education is an essential passport to get an access to a higher-grade occupation, and higher or lower income is derived from one's nature of work. Service is thought to be superior to all other manual works. These are sedentary white-collar jobs. A person, specially an educated young man, prefers a white-collar job. Even he is ready to take a lower-grade clerical job with meagre pay with unfavourable terms. The present socio-economic pattern is such that a person in the clerical cadre gets more prestige than others, as he serves in the organised sector. The present income structure is, however, comparatively higher in some white-collar jobs. The whole administration of the country is now controlled by the white-collar employees. These include the bureaucrats, clerks, military personnel, teachers, service executives in private firms and other government undertakings.

Next to white-collar jobs, business is considered as prestigious. The ranks of businessmen vary on the size of their business and income. The size of an enterprise has always a direct influence on the promoters. Generally, the large enterprises are organised by persons with higher academic qualification with a large investment and management efficiency and a high income is derived from this. The organisers, share-holders and managers, may invest further and increase their income. But small business organisations usually lack prestige and are run by uneducated promoters.

In the feudal social system, big agriculturists enjoyed higher prestige. They were the rulers and regulators of the society then. But with the passage of time, it has taken a new shape. Though the economy of the country is basically agricultural, yet persons engaged in agricultural occupations get lower prestige now.

TABLE 3 : I

CASTE AFFILIATION OF CHILD LABOURERS OF DIFFERENT STATES

Caste/Sect/ Religion	Total No. of Child labour	West Bengal	Bihar	Orissa	Uttar Pradesh	Tamil Nadu	Andhra Pradesh	Madhya Pradesh	Kerala	Bangla- desh
1. (a) Brahman	17	6	10	—	—	—	—	—	—	1
(b) Brahman (Utkal)	7	6	—	1	—	—	—	—	—	—
2. Kshatriya	13	1	4	—	3	5	—	—	—	—
3. Kayastha	82	36	42	1	1	—	—	—	—	2
4. Baidya	5	3	—	1	—	—	—	—	—	1
5. Bhandari	3	—	—	3	—	—	—	—	—	—
6. Karan	26	1	—	25	—	—	—	—	—	—
7. Baniya	22	—	20	—	2	—	—	—	—	—
8. Jadava	25	—	20	—	3	—	—	2	—	—
9. Mahisya	212	207	2	3	—	—	—	—	—	—
10. Sadgop	10	10	—	—	—	—	—	—	—	—
11. Subarna Banik	9	9	—	—	—	—	—	—	—	—
12. Gandha Banik	1	1	—	—	—	—	—	—	—	—
13. Goala	19	19	—	—	—	—	—	—	—	—
14. Kharadi	12	—	12	—	—	—	—	—	—	—
15. Kamar	12	12	—	—	—	—	—	—	—	—
16. Napit	6	6	—	—	—	—	—	—	—	—
17. Raju	2	2	—	—	—	—	—	—	—	—
18. Barujibi	2	1	—	1	—	—	—	—	—	—

Caste/Sect/ Religion	Total No. of Child labour	West Bengal	Bihar	Orissa	Uttar Pradesh	Tamil Nadu	Andhra Pradesh	Madhya Pradesh	Kerala	Bangla- desh
19. Newar	2	2	—	—	—	—	—	—	—	—
20. Sakali	2	—	—	—	—	—	2	—	—	—
21. Vadar	1	—	—	—	—	—	1	—	—	—
22. Mali	7	—	—	7	—	—	—	—	—	—
23. Teli	26	12	1	9	3	—	—	—	—	1
24. Tanti	12	12	—	—	—	—	—	—	—	—
25. Sunri	12	10	—	—	—	—	—	—	—	2
26. Dhopa	40	28	2	3	3	—	—	—	—	4
27. Gorhi	2	—	2	—	—	—	—	—	—	—
28. Jeje	2	2	—	—	—	—	—	—	—	—
29. Bagdi	8	8	—	—	—	—	—	—	—	—
30. Jugi	5	4	—	—	—	—	—	—	—	1
31. Pod	32	31	—	1	—	—	—	—	—	—
32. Kurmi	6	—	4	—	2	—	—	—	—	—
33. Namasudra	33	26	—	—	—	—	—	—	—	7
34. Chamar	17	—	16	—	1	—	—	—	—	—
35. Muslim	108	15	80	6	3	—	—	—	4	—
Total	800	470	215	61	21	5	3	2	4	19

TABLE 3 : 2

CASTES AND SECTS OF CHILD WORKERS HAILING FROM DIFFERENT DISTRICTS
OF WEST BENGAL

Sl. No.	Caste/ Sect	Total No. of Child workers	Midna- pur	24-Par- ganas	Howrah	Cal- cutta	Hooghly	Nadia	Burd- wan	Mursh- dabad	Bankura	Darjee- ling	Birbhum
1.	(a) Brahman	6	—	1	2	1	1	—	—	1	—	—	—
	(b) Brahman (Utkal)	6	6	—	—	—	—	—	—	—	—	—	—
2.	Kshatriya	1	—	1	—	—	—	—	—	—	—	—	1
3.	Kayastha	36	5	7	11	3	2	4	1	—	2	—	—
4.	Baidya	3	—	—	—	—	1	2	—	—	—	—	—
5.	Karan	1	1	—	—	—	—	—	—	—	—	—	—
6.	Mahishya	207	136	8	52	2	8	—	1	—	—	—	—
7.	Sadgop	10	10	—	—	—	—	—	—	—	—	—	—
8.	Subarna Banik	9	7	2	—	—	—	—	1	—	—	—	—
9.	Gandha Banik	1	—	—	—	—	—	—	—	—	—	—	—
10.	Goala	19	7	7	2	—	2	—	—	1	—	—	—
11.	Kamar	12	3	5	4	—	—	—	—	—	—	—	—
12.	Napit	6	1	2	3	—	—	—	—	—	—	—	—
13.	Raju	2	2	—	—	—	—	—	—	—	—	—	—
14.	Barujibi	1	—	—	—	—	—	—	1	—	—	—	—

Sl. No.	Caste/ Sect	Total No. of Child workers	Midnapur	24-Paraganas	Howrah	Cuttack	Hooghly	Nadia	Burdwan	Murshidabad	Bankura	Darjeeling	Birbhum
15.	Newar	2	—	—	—	—	—	—	—	—	—	—	—
16.	Teli	12	9	2	—	—	—	—	1	—	—	2	—
17.	Tanti	12	10	2	—	—	—	—	—	—	—	—	—
18.	Sunri	10	1	3	—	3	1	—	1	—	—	—	—
19.	Dhopa	28	—	19	—	6	—	1	—	1	1	—	—
20.	Jele	2	—	2	—	—	—	—	—	—	—	—	—
21.	Bagdi	8	1	1	6	—	—	—	—	—	—	—	—
22.	Jugi	4	—	4	—	—	—	—	—	—	—	—	—
23.	Pod	31	1	21	8	—	—	1	—	—	—	—	—
24.	Namasudra	26	—	14	3	4	—	4	—	1	—	—	—
Total		455	200	101	91	19	15	12	6	5	3	2	1

Educational advancement has drawn the people towards 'white-collar jobs'. It is often found that people with lower education are engaged in agriculture. But the income derived from agricultural occupations has become further lower after imposition of the recent Land Ceiling and fragmentation.

The professions of day-labourers, business and priesthood are self-employment. There is a popular belief that self-employment is superior to all other forms of employment. This is true in case of independent practitioners in the field of medicine, law, chartered accountancy, etc. In case of self-employment, a person enjoys freedom in the choice of his own profession. But the case of daily-labour is quite different. His income is meagre and the social prestige is very low. It is needless to mention that education has no role to play in such a profession. Rather it can be said that, it places a man at the bottom of occupational ladder. Priesthood is traditional occupation in India. In the traditional economic social system, the members of a family used to pursue their family occupation. The person had generally no choice. No education was necessary in this case, and the income varied from man to man and place to place.

In the last rank of occupation grading are the domestic services. These are the lowest paid and least honourable services. In many societies these people are designated as 'servants'. It is purely an unskilled non-prestigious work. Indeed, the work is an ill-paid manual occupation. Such service solely depends on the choice of the employer and his good personal relation with the incumbent.

Table 3 : 3 shows how the occupation pattern changes in the changing traditional society. The occupation of grandfather, father and son thus often changes, from generation to generation. To indicate the nature of such occupational mobility, three generations have been taken for study.

Table 3 : 3 shows that 77.50 per cent grandfathers were cultivators. The striking point is that highest percentage of grandfathers was in agriculture. In the generation of father 51.25 per cent are engaged in hereditary occupations. The rural people cannot change their traditional occupation easily. Moreover, village economy is mainly agriculture-oriented. All occupations of the villages other than cultivation are closely associated with agriculture. There is, however, obvious difference between land-

TABLE 3 : 3
PATTERN OF OCCUPATIONAL MOBILITY

(No. 160)

Sl. No.	Occupation	G E N E R A T I O N		
		Ego	Father	Grandfather
1.	Cultivation	—	82 (51.25%)	124 (77.50%)
2.	Business	—	19 (11.87%)	16 (10.00%)
3.	Service	—	33 (20.62%)	16 (10.00%)
4.	Daily-labour	—	25 (15.63%)	4 (2.5%)
5.	Priest	—	1 (.63%)	—
6.	Tea-boy	58 (36.25%)	—	—
7.	Hotel- and Restaurant-boy	62 (38.75%)	—	—
8.	Sweet-shop-boy	40 (25%)	—	—
Total		160 (100%)	160 (100%)	160 (100%)

holders and landless cultivators in income and prestige. The term 'cultivators' here means a person directly or indirectly associated with cultivation. Personal landholding was not taken as yardstick to measure his status. In the generation of grandfather 10 per cent were in business and service and 2.5 per cent daily-labourer. On the other in the generation of father 11.87 are in business, 20.62 per cent are in service and 15.63 fall in the category of daily-labour. Remaining 0.63 per cent are found to pursue the occupation of priesthood. It is significant that occupation of father in comparison with that of grandfather in case of cultivation has registered a decreasing trend but in other occupation, i.e., business, service and daily-labour, the trend is visibly stepping up. The present study shows that, 36.25 per cent children are tea-boys, 38.75 per cent children register their name as workers

in the hotel and restaurant and 25 per cent children are engaged in sweet-shops. The significant thing is that occupation pattern is changing. The change began from the generation of grand-fathers.

The lower class workers are the most unstable and poorly paid among the labour force. They generally do all sorts of unskilled manual work. Some of these occupations are viewed as deviations from the conventional modes. Child labour is one of these occupations. These deviators are awarded a discreditable position, because they do not follow the traditional professions of the group concerned. But such deviations are caused by compelling circumstances of earning one's bread somehow for bare physical existence, particularly among the poorer classes of people.

The above study shows that cent per cent children covered by this study do not follow the occupation of their fathers. The occupational continuum is breaking down for poverty and other compelling social circumstances. Economic and social forces bring about such changes in the society. A new social system thus emerges and replaces the old.

With the increasing tempo of industrialisation and urbanisation, many new industries around the city and small-scale industries in the rural areas are being established now. The increase in productivity further intensifies the process of industrialisation and increase the competition among the traders and businessmen to capture the markets, which results into getting lower prices for their products. It compels them to lower the cost of production for making more profit. So they employ cheap labour, including Child labour. Such mode of production and labour market structure have a larger scope for employment of lower-paid workers. The rural folk are attracted to this. As a result, quite a large number of people migrate to the cities and urban areas leaving their traditional occupations and accept the new occupations for subsistence and further prospects. Moreover, the population pressure, technological applications in farming, fragmentation of lands, insufficient output of crops have together eroded the village economy and broken down the traditional joint family system, whose members have adopted the new occupations instead of traditional ones. The old indigenous occupations are thus being converted into new occupations.

The old traditional occupations associated with status and position in the social hierarchy in the villages, are neither in existence nor are able to maintain the status quo. Like all other spheres, the rural society is also changing. With the changing economy the social structure too has been taking a new shape, and in the changed superstructure the old attitude and values have also changed. The changing caste system and social institutions adjust these new groups of earners with their new occupations. This automatically develop a non-resisting attitude, both among the family members and the new earners.

In India, during the pre-independence days, the rigid caste barrier and demarcation of occupations on caste basis forced the people of different communities to cling to their own caste occupations. But castes and other social barriers began to wane when Mahatma Gandhi adopted the device of non-violent struggle for attaining independence and other reforms for wiping out illiteracy, untouchability and other social vices. These social changes and economic factors hit hard the hierarchy of age-old caste occupations and the traditional status and rank associated with these. Individuals belonging to different communities began to adopt avocations different from the traditional occupation of their respective communities, as a means of livelihood. These people who have shifted from their respective community occupations are no longer criticised or ridiculed by the members of higher castes or communities. Rather they have been adjusted in the society by other people, because of the changes in the social order, outlook and mental make-up of the people at large.

The new occupational patterns also forge new relationships in the social setting. One who accepts a new occupation, induces others to come out of their old traditional ones. This sort of trend paves the way for social mobility among different castes. In the village life the child works under his father's guidance and his occupation is selected by his parents. But in the urban milieu, this cannot be done. However, as in the traditional society, in this case too, the father operates behind his child for choosing occupation. In the majority of such cases the parents are the sole regulators as the child is immature. The parents persuade the child to follow a particular occupation they consider profitable and prestigious, leaving no opportunity of choice to him. The prime consideration is to fill up the stomach somehow.

Respondents of lower economic status were found engaged in establishments of lower economic level. Wide-spread economic depression, lack of education and frustrated occupational aspiration, have together compelled them to remain confined to their present low-paid occupations. A feeling of dissatisfaction with their present work, and a sense of insecurity haunt them up throughout their working life and erode their power of clear thinking and aspiration. With gradual maturity in age, to dispel their mental depression, they plunge into the crude pressures and excitements of the city life, and in the process, often become professional rogues and hooligans.

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Working Children : Employment and its Impact

*We are guilty of many errors and many faults,
but our worst crime is abandoning the children.*

—Gabriela Mistral

CALCUTTA is an 'Eldorado' for the job-seekers. Being a highly commercialised city and having a large scope for employment in various sectors, Calcutta always attracts people from all over India. According to a survey carried out by the Deputy Director of Census Operation, West Bengal, the number of immigrants in West Bengal was 1,053,384 in 1971. There were 3,148,746 persons living in Calcutta, an area of 104 sq km ; of them 37.0% constitute the 'working force'. Private sector and Public sector jointly shape, run and develop the city's economy. This process has started with the advent of the East India Company in India. But after independence, with rapid industrialisation, the unorganised sector as an inevitable supplement has emerged. A large percentage of unskilled workers have been engaged in these unorganised sectors, including the restaurants, tea-shops and various small way-side make-shift establishments, to cater the needs of these workers scattered over wide areas. Some of these were later included in the shops and establishment

category, as the law provides. A major portion of them are child workers.

Child workers are a common feature of all under-developed economy.

The economic status of the Child labour is shaped by his meagre earning. There is a close relation between development of an economy on the one hand, and per capita income on the other. Income is closely related to the occupational structure. The country where a lower proportion of people are engaged in agriculture has a higher per capita income. The advanced countries like, the USA, the UK, Canada and France are prominent instances of this. In our country where a higher percentage of population are engaged in agriculture, the condition is naturally reverse. The child workers are in the lowest earning group and have the lowest per capita income. The child workers covered by this study are mostly engaged in sweet-shops, tea-stalls and hotels and restaurants in Calcutta. These children are engaged in a variety of jobs.

To cater the needs of small and mushroom establishments that spring up overnight on the streets of Calcutta and its suburbs, a peculiar arrangement has been made to recruit. This system of recruitment is completely different from the organised sector. They are not recruited through the different Employment Exchanges or any other labour supply agencies, but purely through private sources and individual contacts. No educational qualification is required for such jobs excepting physical ability to endure strain and work for long hours. Very often a child also approaches an employer to give him a job. Generally the employers are not interested to recruit stray children, as they do not have any known security. In many cases, another old worker brings a child known to him, and he is employed. Sometimes some parents, guardians and relatives too, known to the employer, request him to employ their children. The employments are thus made. Sometimes an influential 'bully' or Policeman of the locality introduce such a child, and he has to be taken to oblige them. In a few cases, the employer himself brings a child from his native village, when such an emergency arises.

This survey has revealed that 64.37 (103) per cent children got their jobs through relatives, 2.5 (4) per cent were brought by the fathers of the children. It is noteworthy that only 0.63 (1) per cent

children were brought by the mothers, 16.25 (26) per cent got employment through friends, and village neighbours who work in city brought 9.37 (15) per cent children, the employers brought 3.75 (6) per cent from their villages, and 3.12 (5) per cent got employment by their own initiative. Religious and racial prejudices also regulate such appointments. It was found during the survey that Muslim employers never recruit any child other than a Muslim. But it is not so in the case of a Hindu employers. Oriya employers too recruit workers of their own race. But the employers of other races maintain some flexible attitude in case of employment.

Such establishments never bother to observe the existing laws of apprenticeship training. The senior worker or the employer himself train up the new recruits under personal supervision. Such informal training, however, does not entitle a trainee to get a job. It solely depends on the need and choice of the employer himself. Besides such establishments, generally having less than 20 workers, neither fall within the scope of Trade Union Act, nor the Apprentice Training Act. They do not observe the provisions of the shops and Establishments Act either.

The employer of a famous restaurant was asked about the way of recruitment of shop-boys. The reply came abruptly 'Ei sourer bachha, cha dey' (he bade a boy to supply tea to the sourer bachha, cha dey' (he bade a boy to supply tea to the author addressing him as 'the son of a swine' in Bengali). Then he added 'they are the players and I am the coach. I take all the pain to train them up properly. But once they are well trained up, they leave me for better prospects elsewhere. Naturally, I cannot but be harsh to such elements.' However, he told that after successful completion of training, they will be paid a starting salary of Rs 15 per month. In every case, the children get food and lodging and a small amount for laundering. The training includes knowing of the customers, attending them satisfactorily, to serve the whims of the employer, and to remain at beck and call of the customers and the employer.

One's good relation with one's colleagues effects job-satisfaction. This also affords them protection against exploitation, torture or whimsical discharge even without any lapse on their part by the employer. This gives them the unity and strength to fight for a common cause and ensure job security. They are often abused in slang by the employer and the

senior workers for no apparent cause or fault. They also imbibe such habits and apply these against other colleagues now and then. This causes a cultural degradation and the habit of uttering slang invectives. This also causes personal aversion among them. The seniors often spoil the juniors by teaching them to smoke and encouraging them to indulge in other venal vices. At this age, a majority of them frequently see Hindi Films. Even so, they get the training of serving the customers properly and this is the only positive side of their training to make up a better future. There is, however, no job security, as there is no Trade Union among them.

The bright aspect of any job is the prospect of a worker for further promotion to earn more. A close observation of these working boys has revealed that no system of promotion or increment prevails among them, according to seniority or efficiency. Giving promotion or increment totally depends on the freak and whims of the employer, irrespective of one's job worth. The employer may increase or decrease the wages of any one at any time. Sudden breaking of a crockery by a worker or loss of cups and dishes entails deduction of wages with a spell of invectives. Sometimes laborious and devoted service is rewarded by a nominal wage increase. No benefits of labour laws are enjoyed by these workers, which exist in the organised sector. In some cases, long years of honest and sincere service and personal satisfaction of the employer, promotes one to a higher rank. Even some of them become 'Karikar' (sweetmeat-maker) in the sweetmeat shops, or 'Sardar' (supervisor of the working staff), cashier, cook and even ascends to the highest rank of Manager in such establishments.

These workers are generally of a shifting nature. It has become their habit. They were found to stay at a shop for two months, one month, one day, and even for one hour. A few of the working children, however, do not change their working place so frequently. The present survey has revealed that 16.25 (26) per cent children are not willing to change their establishments for different reasons. These include, good wages with greater freedom from job bindings and sufficient daily food, 3.75% (6), and well acquaintance with the employer in cases where the employer belongs to the same village, 12.5 (20). The sordid thing is that 1.25 (2) per cent working children have no opportunity to express

their option. Needless to mention that they are bonded. Prevailing high unemployment and low wages given to the low-skilled workers generally cause high mobility among them. Some of these movements or shiftings are voluntary and some are involuntary, i.e., occur under compulsion. The voluntary movements occur generally for improvement in working conditions and job security. The most notable thing is that the child workers always prefer cash wages to that made in kind. But in case when one is helpless and needs a job urgently, he accepts any offer. There is, however, always a tendency among the working child to secure an employment in a bigger and reputed establishment, where good emoluments and tips are available. Sometimes the child workers are forced by the employer to leave their job. Physical inability, disobedience, disease and sickness of the worker, any economic handicap of the employer often throw them out of employment. It has been found during the survey that lucrative wages have induced 65.63 (105) per cent children to leave their present jobs of comparatively low wages. 4.37 (7) per cent children have left for new employment offering good food and lodging. In many establishments, these workers have to pass the night in dark, non-ventilated confined places ; and in some cases they have to lie on the footpath or on the bench of the shop and other unwholesome places as their night shelter. Again 7.5 (12) per cent children were found to change the place of work with the hope of getting good wages and more freedom. Working children generally detest any sort of 'Iron Administration' or torture, and, according to this survey 5 (8) per cent among them had left their present establishments for new ones for getting good wages, sufficient food and freedom. A worker is often transferred from one establishment to another if the employer has more than one. Children were also found to change their occupation. They also take up some sort of domestic work, and self-employment. Others who become unemployed, often resort to beggary.

The emergence of Child labour force has altered the nature of Trade Union Movements. They are not entitled to trade union benefits under the law. Generally trade union movements in the unorganised sectors hardly exist. Continuous struggles by the trade unions to uplift the working condition of the workers in our country, to organise the labourers as a whole against any

sort of exploitation are really a praiseworthy attempt. But the child workers are outside the purview of organised trade union movement as they are not legally recognized as labour. Nevertheless the trade union leaders organise unions of different establishments with the help of adult labour, and the children working in such establishments get the accruing benefits normally. In such establishments, during the Puja festival, some trade union leaders organise the labourers to press for bonus, and thus casual existence of trade union is seen in this sector. As these small employers generally lack the means to pay such bonus, they generally lock out their establishments in such cases and set up selling centres in front of their establishments to run it personally and children are not at all conscious about trade unionism, nor they can organise themselves into a trade union for their upliftment, though they understand and detest the exploitation of the employers. Many of them during the survey blamed the employers for the miserable condition of their service. Abdul Jannar Ashnafi is a boy of 12 working in a restaurant. He told that he was always vocal against any sort of exploitation of the employer. He narrated how the employer deprived him of proper wages and over-burdened him with all sorts of laborious work, and how any sort of negligence on his part in the eyes of the employer was set right by inflicting physical torture. He further stated that it was their duty to lodge complaint against such employers to proper sources to rectify them.

Working children often witness public agitations and different rallies passing along the streets displaying different banners. The children were asked 'Do you want to join politics?' It was found that 47.5 (76) per cent of them had no idea about politics. Slogans pierce through their ears and rallies with green, red or other kinds of flags or festoons draw their attention, but they could find out the inner causes or purposes of such demonstrations. 48.13 (77) per cent children were not totally ignorant about politics, but they did not want to join it, as according to them, it was purely wasting of time without any material benefit. 4.37 (7) per cent children expressed their willingness to join politics, as they had an idea that politics might provide them many opportunities, in future, which would ultimately be helpful to improve the conditions of their living.

The characteristics of the establishments determine the wages.

The tea-stall, sweet-shop and hotel and restaurant can sharply be divided into two categories. One category is the 'Posh Establishments' which are meant for the higher income groups. The others are floating or small establishment located on the wayside and unauthorised places, catering to the needs of low income groups. Sudden emergence of such establishments on the wayside is almost a regular occurrence. The Government and the Corporation have evicted some of these, including the footpath hawkers. But they reoccupy such places, now and then, and again run their unauthorised business. During the period of Emergency, the Central Government demolished all such unauthorised establishments in Calcutta and elsewhere. In July, 1981, the State Government had evicted 150 such unauthorised establishments from Babughat in Central Calcutta, as a result of which a few hundred people lost their means of earning.

Altogether 400 establishments were surveyed. Among these, 157 are hotels and restaurants, 140 tea-stalls and 103 sweetmeat shops. It was found that the low-wage establishments are highly competitive and struggle hard for maintaining their existence. An entrepreneur is free to enter this field and leave it in case of loss or any other deterrent. They sell miscellaneous commodities. Their customers are generally the people of the locality and the stray passers-by. The daily sale is therefore low and limited to a few regular local customers.

Table 4 : 1 shows how the concentration of labour varied in the different establishments surveyed. The workers in the establishments where there are more than 20 workers get certain legal amenities and facilities regarding their remuneration and service conditions under the Shops and Establishments Act. The highest concentration in such establishments varied between 5-7 and as such, they are not entitled to such amenities. The average strength is however 2-3 workers per establishment.

'One-worker establishments' constitute 5% of the total. The lowest are 26-30 working staff establishments, constituting 0.63 per cent. Generally having a working staff between 0-1, 2-3, 4-5 and 5-7 are common in the establishments. The larger ones have a larger number of workers and a higher sale and income. It was found during the survey that most of the sample establishments had poor sale and income. So they could not

TABLE 4 : 1

LOW WAGE EARNERS AND ESTABLISHMENTS

<i>Sl. No.</i>	<i>No. of Child worker</i>	<i>Total percentage of establishment</i>
1.	0-1	5.00
2.	2-3	25.63
3.	4-5	21.87
4.	5-7	26.87
5.	8-10	7.5
6.	11-13	5.62
7.	14-16	3.75
8.	17-19	1.25
9.	20-25	1.88
10.	26-30	.63

provide any amenities for their staff. Besides the owners appropriated all the profits, giving nothing to the staff. These are mostly concentrated in the areas of lower income groups and office abounded localities. In South Calcutta, these types of establishments are rare. But in the North and Central parts, specially in the 'Office areas', there is a large concentration of such establishments.

These working children have no other earning besides what they get as monthly wages in such establishments. They get a very poor pay. Generally in every occupation, there is 'full-time' and 'part-time' work according to set hours of duty. But in case of Child labour in the areas surveyed, they have no 'part-time' work or standard hours of work. They have to work continuously for long hours, even up to mid-night.

Economic condition depends on one's own earning. It is closely correlated with his occupation. About 2.5 per cent of them earn between Rs 50-Rs 100 a month. 20.63 per cent are not paid any wages at all. Obviously, they have to live in a very wretched condition. However, some of those who earn send a part of their earning to their guardians at village home, for help.

The total sample unit has been divided into 9 categories of earnings. All these workers are engaged in tea-stalls, sweet-shops, hotels and restaurants. It is found that 20.63 per cent

TABLE 4 : 2

INCOME FROM WAGE AND FRINGE BENEFITS
ENJOYED BY CHILD WORKERS

Monthly cash wages in Rs	Child workers Percentage and number	Bonus			Tips
		Cash	Kind	Total	
0-5	.63 (1)	—	—	—	—
6-10	3.12 (5)	—	—	—	—
11-15	13.75 (22)	.63 (1)	—	.63 (1)	.63 (1)
16-20	23.75 (38)	3.12 (5)	2.5 (4)	5.17 (9)	—
21-30	24.37 (40)	2.5 (4)	—	2.5 (4)	2.5 (4)
31-50	11.25 (18)	1.87 (3)	.63 (1)	2.5 (4)	3.75 (6)
51-75	1.87 (3)	—	—	—	—
75-100	.63 (1)	.63 (1)	—	.63 (1)	—
No earning	20.63 (32)	—	—	—	—
Total	100 (160)	8.75 (14)	3.13 (5)	11.33 (19)	6.88 (11)

of the workers are unpaid. They are working without any cash remuneration they are provided with food only. The respondents who reported 'No earning' represent the fresh entrants barring a few, who are serving for a few months. Many employers are not inclined to pay any amount for the first one or two months. They treat this period as 'Apprenticeship', and in some cases, as 'watch' or observation period. They keep constant watch on the worker to determine whether he is honest and laborious or not. After his full satisfaction, the employer settles his wage according to his own discretion.

The data collected revealed that 0.63 per cent children earn Rs 0.00-5.00 per month, 3.12 per cent Rs 6.00-10.00 per month, 13.75 per cent Rs 11.00-15.00, 23.75 per cent Rs 16.00-20.00, 24.37 per cent Rs 21.00-30.00, 11.25 per cent Rs 31.00-50.00 and 1.87 per cent Rs 51.00-75.00. This income is made purely on monthly basis. All the workers are, however, provided with food. The table also reveals that only 0.63 per cent children earn Rs 75.00-100.00 per month without food. Of course, they are provided with snacks, tea and light tiffin. This is generally done in large hotels, restaurants and sweet-shops. They have to manage their own meal and dinner at their own cost. It is

worth mentioning that this survey has revealed that 0.25 per cent children are like 'bonded labour'. Mantu Chandra Sarkar of Nadia district was almost sold to the employer of an establishment 4 years ago. He was then only 10 years old. His father, a landless labourer, was over-burdened with debts. The child was sent to the employer with a view to repay the debt from his earning. Ever since Mantu Sarkar had been tied to this restaurant. The case of Mantu Sarkar is not an exception. There are other such cases.

Besides the monthly income, some workers make some subsidiary income through 'bonus and tips'. Their condition is a little better among the child workers. All subsidiary incomes are related with their regular occupation. But their percentage is very small, being only 11.88 per cent. Out of these 11.88 per cent, 8.75 per cent children get it in cash, and the remaining 3.13 per cent in kind.* Generally the system of payment of bonus is an additional payment made in lump-sum once annually, as prevalent in our country. In some cases, the workers get it twice a year. Children of the lowest income group are deprived of this benefit. Rs 16.00-20.00 earning group constituting 5.62 per cent is the highest percentage among the working children who enjoy this benefit. In the highest wage group varying between Rs 75.00-100.00, the number of those who get such bonus is the lowest. Their percentage is the same as that of Rs 11.00-15.00 income group children, i.e., 0.63%. In case of hotels and restaurants, tea-stalls and sweet-shops, the child workers earn a good amount from tips. Even it is found that the workers earn a lot of money from such tips during the whole day. But it is restricted in case of 'Posh Hotels and Restaurants, tea-stalls and sweet-shops'. The data reveals that only 6.88 per cent children enjoy such tips. It is, however, noteworthy that in case of Child labour, the amount of tips is very small.

Despite their low wages, the working children have to do heavy work in these crowded and unhealthy establishments. 'Hours of work' is an important factor in the unorganised sector, both for heal and health security. Fixed hours of work is a legal

* In kind means—the Hindu employers, at the time of Durga Puja Festival and the Muslim employers during Id-Uz-Zoha give their workers either a shirt or a pant, or both.

obligation on the part of the employer and constitutes a welfare measure. The West Bengal Shops and Establishments Act, 1963, under Section 6, makes provisions for fixed hours of work in shops by directing that

- (1) In no shop shall the hour of opening be earlier than eight O'clock ante meridian and the hour of closing be later than eight O'clock post-meridian ;
- (2) No person employed in a shop shall be permitted to work in such shop for more than eight hours and a half in any one day or for more than forty-eight hours in a week, or after the hour of closing of such shop.

But it is noteworthy how the working children are denied of these legal rights and protection, as will be evident from Table 4 : 3.

TABLE 4 : 3
HOURS OF WORK

<i>Working Hours</i>	<i>No. of Children</i>	<i>Percentage</i>
0-8	9	5.62
9-10	6	3.75
11-15	108	67.5
16-18	33	20.63
19-20	4	2.5

Majority of these children work untiringly for 11-15 hours a day, to satiate the city-dwellers. Generally the work starts at the very dawn and finished at 11 p.m. to 12 midnight. They have to remain confined for a very long time in an unhealthy environment. The border-line between slavery and long hours of exploitative labour in their case is very thin, as they have to work up to 19 to 20 hours a day to serve the city-dwellers. Mantu Chandra Sarkar, a boy of 10 years who has come from Nadia district, has to work hard up to 19 hours to serve the clients of a tea-stall in Jadavpur in South Calcutta. The boy with a shabby pant narrated woefully how he joined the service. He starts his work at the very dawn, i.e., 4 to 5 a.m. and throws his tired thin body on the bed for rest at 12 midnight when the city of Calcutta

itself remains in deep slumber. He has come from an eight-member family, owning 1 Bigha of land. His father is a share-cropper. His father had sent him to repay the loan of the employer, who is also his neighbour and the land-owner, whose lands he tills. Occasional Sunday leave enables him to relax his mind from the drudgery of his work. He has to eat inadequate and ordinary food. Rigorous and continuous service causes frequent illness, but he has no liberty to leave the work.

It has been discussed that the working children are not paid any extra remuneration for extra hours of work, and what a poor wage they get after doing long hours of hard labour. But the Minimum Wages Act, 1948, lays down that

“for work on any day in excess of the number of hours constituting a normal working day, the employer shall pay him for every hour of excess work or part thereof at the overtime rate fixed under this Act, or under any of the appropriate Government Regulation for the time being in force, whichever is higher.”¹

‘Overtime’ is quite unknown to them. In case of getting daily rest, they are also in a despicable condition. The extent of drudgery they are made to do does not end there. Their leave facilities too are also very meagre. Table 4 : 4 provides its evidence.

TABLE 4 : 4

LEAVE

<i>Leave</i>	<i>No leave</i>	<i>Half-day in week</i>	<i>One day in a week</i>	<i>One and half-day in a week</i>	<i>Two days in a week</i>	<i>If occasion arises</i>	<i>Total</i>
Workers	73.13(117)	1.25(2)	15 (24)	5.62(9)	4.37(7)	0.63(1)	100%

Table 4 : 4 shows that 73.13 per cent children have to work without leave. The extent of their exploitation does not end there. If one requests the employer even for ‘sick leave due to serious illness’, he will get permanent leave from his work,

though it does not happen in all cases. In the office areas of the city, the employer has no other alternative but to give one day leave, as the offices are closed on Sundays. On other holidays, they also get such leave. In some establishments, the working children get holiday, if any such occasion arises, including when the employer performs any religious ceremony at his home and is absent. Such leave is enjoyed only by 0.63 per cent of the children.

Sub-section (3) of Section 7 of the West Bengal Shops and Establishments Act, 1963, specifically lays down that

“No person employed in an establishment shall be required or permitted to work in such establishment for more than six hours in any one day, unless he has been allowed an interval for rest of at least one hour during that day, and Sub-section (4) of the same Section further stipulates that the period of work and interval for rest of every person employed in an establishment shall be so arranged by the employer of such person that the total period of work and interval together do not extend over more than ten hours and a half in any one day.”

Table 4 : 5 shows the rest period enjoyed by the working children.

TABLE 4 : 5
REST PERIOD (DAILY)

	No rest	$\frac{1}{2}$ hour	1 hour	$1\frac{1}{2}$ hours	2 hours	3 hours	Total
Child worker's (%)	38.13(61)	4.37(7)	7.5(12)	3.13(5)	42.5(68)	4.37(7)	100(160)

Long hours of work without any rest affects the health and cause disease. It is also unthinkable how one could do it, day in and day out. The working children have to take their bath and meal during the rest time. Those who have no rest, do this before their work in the shop begins. The above table shows that 38.13% get no rest at all, for though rest has been officially allotted, they get no time for rest due to heavy pressure of work.

Wages are determined in the vast unorganised sector in the city of Calcutta in a peculiar way. With a mixed economy, the peculiar socio-economic conditions of India needs its own type of 'wage determination standard'. The classical subsistence theory and neo-classical marginal productivity theory is not operative in such conditions. Generally wages are settled everywhere in the labour market by bargaining of two parties, the employer and the employed. In an underdeveloped economy where chronic unemployment exists, where labour is abundant and partly unionised, the wages are determined by bargaining by the Trade Union, which mainly takes place in the usual bilateral basis, and sometimes by tripartite bargaining with the participation of the employees. But in the case of Child labour, there is no such trade union to bargain for them. On the other hand, Child labour is abundant. The supply and demand principle is generally the determining factor of wages. As the supply is abundant, the employer has enough scope and is the sole authority to determine the wages. Where would the 'need-based' minimum wage come from under such a situation? Some are of the opinion that even so, a generous employer will pay according to his capacity, without the motive of depriving the employee. It should be borne in mind, however, that the businessmen never come into the market with the motive of distributing their hard earned capital generously to others. They do so for making personal gains. So, a businessman's capacity to pay should never be considered as a standard of giving justified wages on job-basis. Their main motive is 'how to earn more and more profit'. They know if the wage of labour is high, the rate of profit becomes less, and the Government having no control over this sector, remains passive.

The characteristics of low-wage workers are correlated with their (1) low educational attainment, (2) low social status, and (3) low skill. Hence they cannot bargain for higher wages and accept whatever is offered.

(1) *Age* : By legal definition 'child workers' mean the labour group up to the age of 14 years. These poor half-fed children are burdened by their parents with duty of earning bread for the family. A poor parent cannot give his child any education and sends him out for work. It is often done at very tender age. Table 2 : 1 shows that of the Child labour 9.38 per cent children

are in 6-10 years age-group, and 90.62 per cent in 11-14 years age-group.

(2) *Educational attainment* : Generally low-wage establishments have employees with below average educational attainments or with none. Educational attainment is one of the great factors contributing to efficiency, which is co-related with higher wages. The educational standards of these shop-boys have been divided into five categories, and the localities of their migration into two parts—one in Bengal and the other outside Bengal. This shows their corresponding educational standards also. This survey has showed that the percentage of literacy is higher in Bengal. The total percentage of literacy in Bengal is 31.26% (50) and in the regions outside Bengal 8.13% (13). But in case of secondary stage, the percentage of both the regions is the same. The rate of illiteracy in West Bengal is 28.75% (46) and outside West Bengal 31.87% (51). Here the literate means those who can just read and write alphabets and sign their names.

(3) *Subsidiary workers* : The reason to distinguish between the primary and subsidiary workers is to assess their distributional strength. The need of employment and earning higher wages in a joint family is comparatively less, as such a worker is not the only source of income of his family. In countries like India, where people have got lots of opportunity to earn outside their average income, the number of wage earners is not the only criterion of augmenting family income, rather the amount they earn is considered as more important. In case of child workers, the poor parents send them out to earn for the family. But the little amount a child earns is not sufficient even for his own existence. But when they are sent out, they are considered as primary workers, though their position from the economic point of view in the family did not indicate so. However, the parents' psychology is that their offsprings will not die at least of starvation if he could get a job of any kind. In our country, married women are treated as subsidiary workers. Their earning is added with the family earning and enhances its economic means. But without such earning, the family will not, however, cease to exist. Women mainly enter the work force to augment the family income. They are not considered as the main contributors. They are also discouraged from actively seeking wage-bound employment outside home. But in the case of child the

attitude is different 'More the children, more the income' is the village norm. Birth of a male child is therefore always welcome, as it will increase the family income in course of time. The Indian Council of Child Welfare, New Delhi, calculated that working children of India contributed 14 per cent of the monthly earnings of families with income around Rs 300.

TABLE 4 : 6

HOUSEHOLD SIZE, AND EMPLOYMENT STATUS
OF CHILDREN

<i>Household size (No. of members)</i>	<i>No. of households with average number of of working children</i>					<i>Total</i>
	1	2	3	4	5	
2	4	—	—	—	—	4
3	6	3	1	—	—	10
4	8	8	1	—	—	17
5	4	7	12	1	—	24
6	5	4	13	21	—	43
7	2		6	6	10	24
8	—	4	1	3	14	22
9	1	1	2	1	4	9
10-above	—	1	—	2	4	7
Total	30	28	36	34	32	160

Table 4 : 6 shows that there are 4 households having 2 members, and each of them has only 1 working child. There are 10 households having 3 members ; of these 6 have 1 working child, 3 have 2, and 1 has 3. The corresponding number of households, members and working children have been indicated serially. There are 7 households with 10 or more members, 2 of which have 4 working children, and 4 have 5 or more. Of the 160 sample households, 28 households have not more than 2 working children, 36 households have 3, 34 households have 4 and 32 households have 5 or more working children. It appears that the number of working children increases with the size of the household, 81.25 per cent households out of all, have more than 1 working children. The data indicate that they are not

the main source of income. Their meagre contribution may be treated as subsidiary income.

(4) *Low-skill occupation* : The working children in the establishments surveyed are mostly unskilled workers. They come from the villages and are paid very low wages. They have to live in most unhealthy condition and do not receive proper training in their jobs. Hence they cannot attain skill or efficiency. They had easy and free life in the village. Naturally they hate the congested, dark, heated, confined atmosphere of the city shops, and iron administration of the owners. Being not interested they become unsteady and irregular in their jobs. The survey reveals that 92.40 per cent children are maintaining regular communication with their villages. Occasionally a child pays visit to his native place. After all, the child worker cannot adjust himself with the new conditions of his work. These impede the improvement of his efficiency and skill. These socio-economic characteristics also indicate that their age and education are the adverse factors that impede efficiency.

Labour economists are of the opinion that wages should be linked with productivity. Planning Commission of India also advocates in its latest Draft Plan that 'Increase in wages should be closely co-related with increase in productivity'.² In the same occupation and in respect of the same kind of work, one person may be more efficient than another. Productivity can be measured by the relative contribution to the production. Productivity is to be attributed to the willingness of the workers to work. Some are more earnest to work and some are less. Thus low wages, low skill and low productivity run in the same axis.

(5) *Disability* : One of the main contributing factors to fixation of low wages, is high unemployment and abundant supply of labour. Hence there is enormous scope for bargaining by the employer. He fixes the wages at low levels to make high profit. Besides, the poor standard of health of Indian labourers is another disqualifying factor, and as they cannot endure the stress of long hours of work and give more out-turn, they cannot bargain for higher wages. Moreover, they are mostly unskilled and fall occasionally sick due to poor health, causing loss in man-hours and production, which causes loss to the entrepreneur. So they have to remain satisfied with low wages.

It is found that most of the working children come from

the low-income groups. Their parents could hardly make both ends meet. So they have sent their children to work with the hope of their survival. Poor economy is also a contributory factor to poor health. Most of these unfed children are of sickly built. The survey revealed that many working children are sacked for petty lapses and for the sake of survival, they have to join the stream of street-beggars, or sometimes engage themselves in self-employments like, rag-pickers, junk-collectors, porter boys in the markets, taxi-call-boys, newspaper-hawkers, vegetable venders' helper, and casual helpers of artisans and masons. The most unhealthy place where they usually work causes various diseases. Their income and living condition reveal that it is practically impossible to maintain one's physical ability intact in such a condition. In the Indian working force or labour, it is often found that low-wage occupations are more. As the earning is very small, it makes little difference between the employed and the unemployed. This is due to lack of skill and education, as also for low physical standard, making one less active and efficient. The survey reveals that 60.62 per cent children are illiterate, and only 0.63 per cent have received secondary education. By this low level of education, how can they gain efficiency in any job ? Moreover their poor economic condition prevents them from living a better life.

The increasing supply of labour to the city of Calcutta and suburbs has accentuated the problem of unemployment among the similar category of people. 'Labour' is generally conceived as the class of people who render physical labour in different production centres and are economically active.' In modern society, the economically active are considered as those who are related with work of any form. In primitive society, the working force could be hardly distinguished from the general population in its agriculture-based structure, as everybody had to participate in it in some form or other for survival.³ So the labour force are those who take active part in economic activities. But the Labour Laws do not admit it. In 1971, the Census Dept. of India adopted a different approach for enumerating the 'workers' laying down that

"...Every individual is required to declare himself, what according to him is his main activity. If his answer indicated

that he was an economically active worker, he could be classified as working force or labour ...,"⁴

unlike as was done in 1961, when all those who were engaged in any economic activity, whether it was their primary occupation or not, were declared as labourers. The idea was to exclude from its scope people, such as, housewives and students, who might occasionally help in some 'economic' work, but their primary roles were outside the labour category. Information for such people for whom economic activity is a secondary occupation, appeared in later tabulations of 1971 Census.

The most important point is that the workers below the age of 14 years are excluded from the labour force, though they are gainfully employed. Child labour is the basic characteristics of all-underdeveloped economic systems. So a vast number of working children were not included in the working force, and the actual strength of labour remained unknown. Even the Census figure of 1971 was much less than what it was in 1961.

'Employment problem' becomes a subject of academically economic discussion everywhere, when the balance between growth of labour force and scope for employment is upset. This is done to find a solution by creating other channels of employment. Employment is the basic symbol of economic progress, though it is a means to an end, i.e., for better living. The reverse is unemployment. It indicates the economic backwardness, both of a country and an individual. From the income-point of view, unemployment deprives one from earning his living and other basic necessities of life. Thus he is converted into a miserable pauper. A planned and developed economy could only provide employment to the growing contingent of labour force in India.

The empirical part of this study concerns the employment conditions of Child labour in the city of Calcutta. A Child labour has been defined as 'One who is below the age of 14 years'. There has been a rapid growth of labour force, due to increasing migration from the villages in recent times. This study is concerned with the urban dimension only, centering round a single city Calcutta, known as the economic 'gateway' of Eastern India. A question that may crop up here is—"What effects the

migration would have upon the population growth ?' To find it out, we should have to phase it into 'short-term' and 'long-term' periods. For this purpose, we may define or take 'short-term' as 10 years, and 'long-term' as a century, for tackling labour problems. According to Census, in 1961, the total strength of labour was 1,182,789 and in 1971 it was 1,162,542. Thus, there has been a fall in the labour strength, in 10 years. But for a century, i.e., for the long-term, we have to consider the total rise of population, nature of migration, birth-rate and death-rate, along with the labour sector. This question, however, can never be answered correctly. Zlotnick⁵ and others have summarised this discussion as follows :

"... Migration contribute to population increase in all cases. Although Malthus and Pearl had formulated quite dissimilar population theories, both had asserted that, over the years, immigration does not stably add to a country's population growth."

In this study, however, all the migrants covered are male children. So the increase in the labour force is relatively greater than the addition effected to the size of general population. It can then be safely argued that immigration has been supplying only additional labour. The number of establishments providing job are not too many. Labour market is competitive and the supply is abundant. Naturally, the employers have enough scope to fix up low wages. According to 1961 Census, the total number of migrant workers was 2,14,709. The migrant children are working at low wages, because they are accustomed to a lower standard of living in the villages and consider enough, whatever they get. Besides the employer is the sole authority to determine the wages and gives the lowest to a worker in his own business interest, and thus exploits him. So these children have a low per capita income. They think that to get a work is a privilege and do not want to lose this by attempting to make a bargain. The presence of a large number of workers in the city has augmented the labour force, which has caused consequent unemployment among a section, and contracted the chances of employment for the others. In all developed countries, rise in population is accompanied by a rise of labour force. But in India, rise in population has increased unemployment.

This is due to the flaws of its mixed economy, which is partly rural and partly urban. The economic planning too is very defective. The Expert Committee on Unemployment (1973) revealed that among the total labour force, 10.4% were unemployed. For proper economic development, the growth in population and scope for employment must keep parity.

If this flow of Child labour is checked to employ only the adult labour, people in the villages will suffer. After all, they contribute a bit to their families and thus alleviate their miseries. In assessing labour-days of employment and out-turn, female and Child labour productivity is converted into equivalent adult man-days, though the conversion factors vary from source to source and region to region, rendering the data untenable for any aggregation. Dandekar and Rath in their well-known study of poverty in India (1971) have equated the work of a woman to 'two-thirds of an adult man's work', while NSS computes 'one woman-unit of work' as equal to 'one-half unit of male labour'. The farm management studies use different yard-sticks for different States. For instance, in Assam 'one female-day is equivalent to four-fifths of a man-day'. The equation is based on the fact that female and child are of lower productivity.⁶ So the employer cannot deny higher rate of wage to an adult labour, who could now also bargain with the employer for higher wage through the Labour Union. Their presence in the labour market has augmented the problem of unemployment. The people of actual working categories, both skilled and unskilled, remain without work, as a result. The limited economic potential of the city of Calcutta cannot give employment to all those who are unemployed.

The study shows that 94 per cent working children came from the villages. Generally the trend of influx of old-age migrants is low. They are basically non-migratory due to infirmity, engaged otherwise, or being land-bound. This survey has revealed that the working children in the establishments studied are all male. Females are non-existent among this class of workers. Often a child enters the working force at the age of 6 years. The study has revealed that 87.5 per cent children do not want to go back. Different sociological and economic factors operate behind this motive, of which the main is poverty. Later he loses all interest in village life, and cannot adjust himself with the

rural society. He becomes habituated with the urban ways of life. It is found that the absence of a large number of children and adults from the villages due to migration, causes a low birth-rate in the villages.⁷ According to a study in New Guinea (Bougainville), the proportion of absentee males was so large and rural birth-rate fell so sharply that the Colonial Authorities had to limit the labour recruitment from villages.⁸ This also affects the sex-ratio in the urban areas. The proportion of male is higher in Calcutta, as a large number of males have migrated into the city. In 1921, there were 497 females per 1000 males ; in the year 1931 it was 472 ; in 1951 it was 580 ; and in 1971 it was 638. Although there is gradual increase in the proportion of females during the last 50 years, it is yet disproportionate. The natural increase of population in this city has not been high, as the percentage of males are more. Between 1971 to 1981, the birth-rate was 24% in comparison to 40% of all-India index. Different official statistics show that the growth of population is increasing in the villages.

The non-availability of work in urban areas and their non-migratory nature, discourage the females to migrate to urban areas. So they remain in the villages. Guner Mydral has said

“An economy whose capacity to absorb men of working-age is strained, does not encourage the elimination of traditional forms of discriminations against economic activity by women.”

Generally the participation rate of females are lower in urban areas than in rural areas. Women from wealthy families are less likely to participate in agricultural works than others. But women work to compensate for the shortage of male labourers in a Household. In cases, where men opt for non-agricultural work within the village, the women are forced to take greater interest in working the family farms. But the labour deficiency can be met up by the hired labour. This however depends on the economic capacity of the family. The child takes the ‘light-to-heavy work’. They clean the fields and do all sorts of work in the field. Even at times, they also plough the field. Migration also changes the cropping patterns. It becomes less labour-intensive than usual and production is affected for lack of labourers.

Wages and efficiency are correlated. There seems to be a close functional relation between the two. Unskilled labour always get low wages. On the other hand, as the level of efficiency rises, the labour gets higher wages, as also the scope to bargain. Such efficiency is acquired by the labourer by his physical fitness, willingness to work, and acquired skill in the trade. It raises production. Unskilled labour, on the other hand, creates various problems at every stage of production, and takes a long time to train him up. In the meantime, the industry suffers heavy loss and at times closes down. So there is always a preference and need for employing skilled labourers. There is always a skill-work-wage relation in the industrial sector, while in shops and catering establishments where the child workers are mostly employed, skill is not so important. One capable of rendering physical labour, could easily get such a job. Higher wage causes job-satisfaction and increases productivity, while lower wage causes dissatisfaction and decreases production, by creating aversion to one's job. Higher wages, however, are only given in the organised sector. It is, however, true that higher wages create better working conditions and raise the efficiency of the workers.⁹

Children, women and old-age workers are the low wage earners. Their turn-out is appreciably less than that of the adult labourers. The labour-input character of these workers are more or less the same. The factors which contribute to fixation of low wages are more or less the same. In this study, the low-wage workers concerned are child workers. The huge number of child labourers have adversely affected the quality of Indian Labour Force and narrowed down the scope of employment of adult labour. Indian Labour Force is peculiar in character in comparison to other developed countries, where Child labour is totally banned. The labour market in India is thus affected by the presence of a huge number of child workers. It is the basic character of underdeveloped countries. The lower level of income of the huge percentage of adult workers is a direct result of this infiltration and increase of Child labour.

Every kind of work has both social and personal impact. Work-relations constitute an important segment of the network of social relations. An individual's nature of work can do immense good or harm to himself or the society. Work is also a potent

instrument of socialisation. It brings about significant changes in the behaviour and personality of the worker. It also has a powerful impact on his physical and mental well-being. A child's working unit generally consists of his employer, colleagues and customers, if he is employed in a shop. The environment of the working children, as observed during this survey, consists of a group of low-cultured, illiterate and poor co-workers, the avid selfish employer, customers of different social strata and attitude, and some loitering vagabonds as their leisure-time associates. From them the children learn crude patterns of talking, dealing, vulgar abuses and develop other social vices. Thus they spoil themselves. They develop a peculiar attitude towards the society, including religion, sex, elder people, their own work and other social norms. Environment and occupation thus greatly shape their behavioural patterns.

Socialisation plays a unique role in personality development of an individual. It is the process of inducting one into conventional social world and cultural modes. In this process, the child is imparted education, he learns the folk-ways, mores, norms, and sometimes acquires skill in some hereditary trade. Thus, he is prepared for the future life. Among the working children, however, a peculiar feeling about social status is noticed. Betel-nut chewing and using wrist-watch have become a symbol of social status to them. Some of them show off their maturity by wearing a 'lungi'. Thus a patchy value-sense is noticed among them. They speak lies for no rhyme or reason. Their working condition compels them to lie often to conceal their lapses to the owner and to transfer the blame on others, and to dupe the customers into believing

"all they served were good quality food."

This they do under the strict advice of the owner for promotion of his business. One who acts otherwise, is sacked. The working children were found to use filthy terms while addressing the colleagues and telling them to do something. They develop such habit from the mode of talking of the senior colleagues and the owner, who occasionally abuse them for minor lapses. They live a desperate, insecure and helpless life.

Most of the working places of these children are moist, unhealthy dingy and located in areas inhabited by the lower-income

group people. These are in some densely populated localities and office areas. Their clients generally belong to lower-income groups. The culture of the lower-income groups with whom they always come into contact is of very low standard. They generally imbibe the ill-habits and other urban vices from these people. These generate a degraded value-sense in them. Besides, some areas of Calcutta are directly connected with criminal activities and are the den of notorious criminals. Such children often come into their contact and indulge in criminal activities. These criminals frequent the hotels, restaurants, tea-stalls and sweet-shops located in the areas and entice some of them by feigned sympathy and giving occasional tips into the filthy path of criminal activities and initiate them into other evils of the city-life. At the time of survey in the Kidderpore Dockyard area, a child worker of a restaurant was interrogated and it was found from what he said, that he regularly participates in smuggling and prefers it, since it gives him a good return. Most of the customers of this restaurant are smugglers. The establishment is used as the communication-centre of the smugglers. During the visit, a boy of 12 years came to the shop with a packet of costly Darjeeling tea which was pilfered from the dockyard. One of the customers readily took the tea and gave him Rs 5. The poor boy will be naturally tempted to this again and again, and thus become a criminal by habit. The child worker told, he would no longer serve as a shop-boy and would undertake this lucrative profession. Another child worker of North Calcutta expressed his ambition to the investigator by saying that he wanted to earn a lot by smuggling and selling liquor. He had already got such an offer. Generally adult criminals induce the boys to do such illegal acts. As the punishment under the Children Delinquency Act is less severe the convicted ones do not hesitate to repeat such crimes. The working child had observed that the men who were its customers always spend a lot of money. He told that he could earn Rs 40 per day easily by this and had decided to be a liquor smuggler.

These two cases are instances of how the child-workers fall prey to the vices of the society. During the off-days, they stroll around the city with the vagabonds and indulge in gambling. Thus they develop a criminal propensity.

Companionship generally shapes the behaviour patterns of

a child. It has been stated by some prominent scholars and sociologists that

“unwholesome companionship has been found to be responsible not only for criminal earning, but also for its continuation”.

A child in the establishments surveyed, works within a small unit of men consisting of his employer and colleagues. A child usually has the innate character of imitation. Naturally he imitates the behaviour of his associates. Often they are bullied by the seniors for minor lapses. They apply this technique on comparatively weaker boys, when the latter use any filthy term, and do not assist or obey them when such help is sought for serving the customers during rush hours, or for some other urgent work. Sometimes the ill-behaviour of the employer also spoils them and makes them unsympathetic to other colleagues.

Sleeping place is another important factor which shapes the social and behavioural patterns of a child. Unlike the common families, they have to pass the night in most unhealthy atmosphere on the bench of the shop or in the open. This survey has revealed that 80.63 (129) per cent children sleep on the footpath, 4.37 (7) per cent in their own home, 1.25 (2) per cent pass the night in the houses of their relatives, and 4.37 (7) per cent sleep under the verandahs and sheds of the neighbouring houses. In one case it was found that 15 such boys lived in a 50 sq ft tenement badly ventilated, damp and unhealthy. Some of them even cannot breathe fresh air and enjoy sunrays. Of these half-naked boys, 95.63 (153) per cent have no fixed abode. So every one has the tendency to manage for himself a comfortable place for sleeping. Those who cannot manage, have to take shelter on the footpath or on the bench laid in front of the shop. During the rainy season, these drenched children are compelled to stand awake for the whole night under the porticos of the neighbouring buildings. Pavement sleeping is the culmination of the stage of vagrancy. Here they come in close contact with the vagabonds and criminals. They are tempted and induced by them to do many crimes, sometimes by giving some money of food and showing pretended sympathy. Often they are made victims of sodomy by the veteran criminals. They also become habituated to this immoral practice. It has a very unhealthy

influence upon the children. They become precocious and lascivious.

Recreation is a prime need of every human being. Every one tries to enjoy himself by some mode of physical or mental relief. Low-income group workers have little opportunity and means to enjoy the films, and so they avail of other recreational facilities. Even so, some of them go to films at times. Generally the younger ones have a tendency to see cinema shows. Cinema is one of the cheap and attractive recreation of the low-income groups in Calcutta.

Children cannot be allowed to grow like wild trees in the interest of the nation itself. He is a human being with all vital organs. The sensuousness of the genetic organs vary in different ages. This survey has revealed some incidents of sexual malpractices among the working children. Sexual malpractices are generally indulged by the grown-up children. The incidence of homosexuality and masturbation are fairly high among them. An intense observation in a restaurant located at the central Calcutta unfold a sordid picture. After long hours of interview and observation and a tip enabled the investigator to unfold the fact from the friend of the victim. The boy aged 13 years was sleeping at night on the wood framed roof of the restaurant. The roof is about 6 square feet. The total workers of the shop are 10 in number. A senior co-worker sleeps with the victim. During the first day of the incident the child woke up as the senior one was pushing his genital parts. Sudden cry of the child made the sleeping partners alert and ultimately the man in action was abstained from this. W. Fielding in his book 'Self-Mastery in Psycho-Analysis' has rightly observed,

"Instead of being due to some inherent trait or vicious tendency it has been found that homosexuality is in many instances conditioned by environment."

Homosexuality generally forms a very degenerated vice. This is also an inevitable character of any 'Male dominated city'. The senior co-workers and the employer live without their families. They often satiate their lust by such means. Thus the child gets experienced in this act of sexual perversion and himself repeats it on others. Coming to age, they frequently go to the

prostitutes to enjoy and contact various incurable diseases. All these happen for sheer lack of education among them.

Often a sound rings in the air while one travels a city path—'Dhar dhar oke atka' (catch him, stop him). This is a game played by the working children on the footpath, chasing a running colleague. If he could touch him, the latter will have to chase and touch him again. Thus go the rounds. Besides they go out for strolls on holidays. They exercise the freedom in different ways. Some of them go to the cinema, or play cards, and marble, or fly kites. Most of the working children play indoor games. Four boys along with their associates with a few coins may be seen playing small-sized cards on stakes. 'Gaiper' is another interesting game. Generally three or four children with a marble (gulli) participate in it. They roll down a number of marbles to hit a particular one. In some places this particular type of play takes a different shape with 10 paise coins, in which the winner gets all the money. 'Dewal-game' (hitting a target on the wall by a small pebble) is the popular gambling among the working children. Three or four boys throw three or four 10 paise coins in a marked out area. The number of coins depend on the number of participants. One by one they get the chance to hit a particular coin placed on the ground with a piece of stone. One who can hit it, gets all the coins at a time. If one misses to hit the coin, he will have to pay another 10 paise coin as penalty, and it will be added to the other playing 10 paise coins. As soon as their duty is over, they rush to their solitary place of gambling. The stray children become their partners in all types of play. A trend is noticed among the working children to see the 'Hit Hindi Films', with a lot of 'Maar Peet' (fighting scenes). They can tell the name of the 'hero' and the 'heroine' and try to imitate their style of acting while they are not at work. A good number of working children spend a lot of time seeing football games and other plays of the regular players in the open Calcutta Maidan area.

Play and recreation are vitally necessary for keeping one healthy and jolly. These also make one social, disciplined and develop his personality. Playing together in groups, develops the spirit of co-operation. In fact, these make the child a socially valuable unit.¹⁰ Besides making the organs strong and active, such regular exercise is essential.

Many of the child diseases can be prevented by regular exercise and play. These mould the character of the child. The natural instinct of selfishness and egoism of the child are moderated by the companionship in sports and games. These also develop mutual respect and love for each other.

Recreation and play also stimulate and develop initiative, alertness, mental ability and foresight of the child. United States Children's Bureau has prescribed the minimum standard for the leisure time activities of the children. It has recommended that 'every child should have two hours of organised play beyond school hours every day, and thirty minutes for play and physical education per day in the school'. Besides this, there should be organised recreational facilities to develop his mental faculties. The present survey has revealed that 84.37 (135) per cent children want to play some sort of game during their leisure hour. But the 'iron-administration of the employers' keeps them far away from such play. These deprived children observe other playing boys around with sad eyes and gradually they lose the interest. Being thus deprived from participating in games and recreations, they resort to other forms of crude pleasures, like smoking and gambling of various forms and thus degrade themselves.

Juvenile delinquency is an obdurate social problem. It is more prolific in poor countries than in industrially advanced and rich ones of the world. This is mainly due to failure on the part of the parents to take proper care of their children and give them proper education, due to poverty. They are sent away from their home at a tender age to earn for the family, to meet its needs. As such, they cannot be given the necessary social training also. They grow up like wild trees, guided by their own whims, desire and passion. As they have no education, they cannot discern between right and wrong, moral or immoral. Hence, they fall an easy prey to the designs and wills of the delinquent groups, who win them over by feigned sympathy and hobnob with them by giving them food, shelter and occasional offer of money to enjoy. They pick up the boys when they remain temporarily unemployed. Thus they are initiated into the lessons of pilfering, theft, pick-pocketing, smuggling and allied vices. They are used as tools for making their own fortune. Thus these boys become delinquents and later professional criminals.¹¹

Circumstances and bad association had made some others commit such criminal acts for easy earning and survival. One thing should be specially noted in this connection. After conviction and release, they venture to repeat such crimes again and again, as the penalties imposed for such offences are nominal and light under the provisions of the law for juvenile delinquency. Heavy penalty at this age is not imposed anywhere in the world, as it may create in their minds hate and aversion against the society for ever, and make them rebellious and unreformable. Once the children are thus alienated from the society, they indulge in all sorts of crimes to wreck vengeance against it and, in course of time, become veteran criminals. The three main causes of child delinquency are—poverty, temptation and bad association.

The causes of delinquency, however, differ in different social milieu. The socio-economic factors are the main genesis of delinquency in countries like India where poverty and illiteracy are rampant. But some other social factors appear on the surface as catalytic agents. To unearth the causes of the crime committed by a child, we have to probe into his family background and social and environmental conditions. This process will assert the real causes and help in taking remedial measures. But the two common evils, poverty and illiteracy, have to be removed at the first stage.

Child is the product of environment, i.e., his character, personality, health, education, manners, intelligence,—all are formed according to environment. It also predetermines his future growth, career and status. Family is the first such environment where it is nursed. In order to determine the behaviour patterns of a child, his family structure and its socio-economic condition should be taken into consideration. An analysis of the role of the family in moulding the character of a child, therefore, is of utmost importance. Every child in the family must be provided with certain basic facilities for growth and development of his normal personality. For proper physiological and psychic development, food, clothing, good physical atmosphere, and above all, deep parental affection are needed. More than three decades ago, Dr. Miriam Van Waters delineated her ideas about properly rearing up a child by stating that

“The home has some primary tasks to fulfil for its young ; to shelter and nourish infancy in comfort, without inflicting damage of premature anxiety, enable the child to win health, virility and social esteem ; to educate it to meet behaviour codes of the community, to respond effectively to human situations which produce the great emotions, love, fear and anger ; to furnish practice in the art of living together on a small scale where human relationships are kindly and simple ; finally the home has as its supreme task the weaning of youth, this time not from the breast of the mother, but from dependence, from relying too much on that kindness and simplicity to home, so that youth may not fail to become imbued with joy of struggle, work and service among sterner human relationships outside.”¹²

Family is the ‘first stepping-stone’ towards a civilized community and is a universal institution. Child is born in the family environment. Sociologists are of the opinion that family has profound influence on the child and shapes him up according to its content and quality. The children from good and enlightened families usually turn up to be good. The primary duty of the parents is to train up the child with utmost love and care, and educate and socialize him duly, so that in future, he may be a useful citizen. During the upbringing, the child is closely attached to the parents and other members of the family, and emulates their manners and acts, day after day. Gradually his circle of acquaintance widens amongst friends and other non-related persons. The traits of their character also influence him a good deal. Environment and association are two main factors, which shape the future trend of personality, qualities and life of the child. The village people are mostly uneducated and belong to a lower level of culture. Naturally their children remain backward and uneducated, and because of utter poverty, they are sent out to earn whatever they can, at a tender age. Thus their future life is doomed for ever.

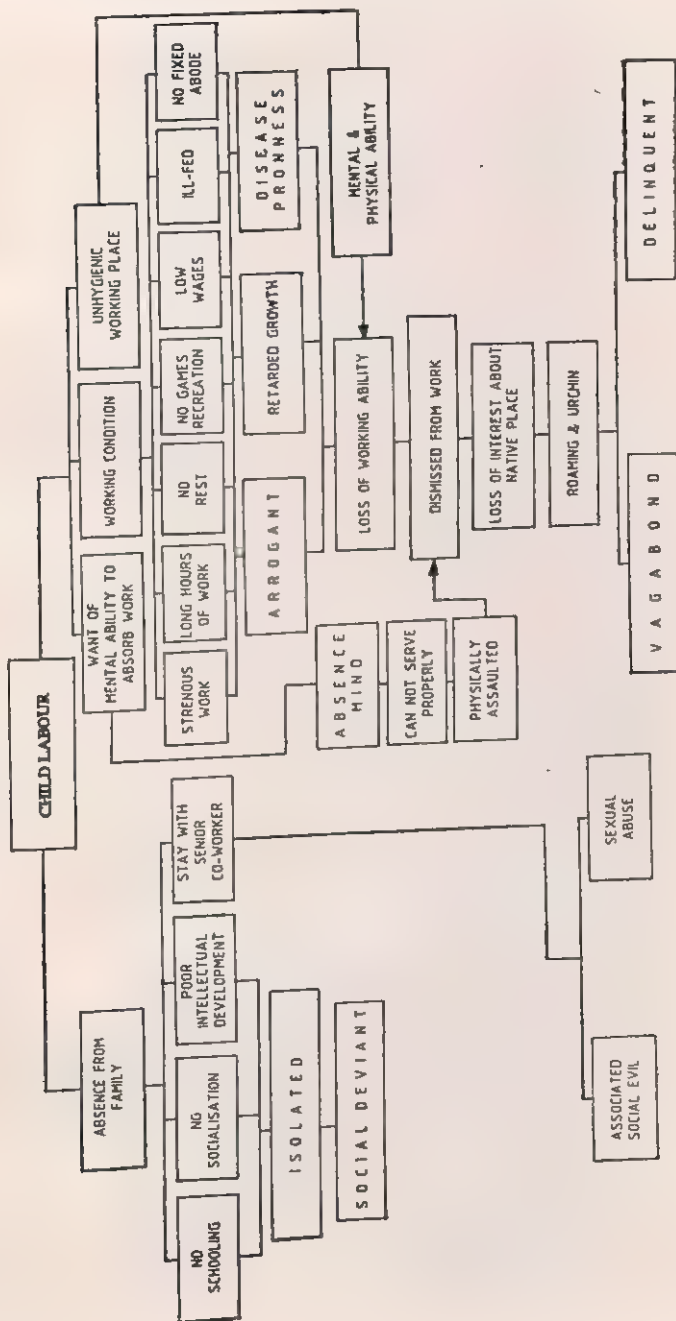
Socialization is a process through which the child acquires some good personal characteristics and motives to enable him to live a prosperous and happy life. The sense of moral obligation to the family and the society is also developed. He also learns to look after and help others in need, by such socialization. In

the larger context, he thus learns to love the country, as a whole. Among the working children surveyed one lives with his family. He comes to the city at dawn and returns at dusk. Besides him, the other migrant children live in the city without their families. An analytical study of delinquent and maladjusted children has shown that such degenerating effect is caused by parental rejection and lack of love. Such deprived family life makes them wayward and delinquent.

A good number of stalls, built as a single-shed on four bamboo posts with no fence, are located in the bye-lanes where sunlight can hardly pierce through, making the place most unwholesome and unhealthy. Some 'Pucca' stalls are also in existence. These stalls are so badly ventilated that there is no outlet for smoke and ash emitted by the oven. The workers engaged in such places cannot breathe fresh clean air and enjoy sunrays. As they have to work in such unhealthy condition, their efficiency of work decreases considerably. Besides, they fall sick very often, of various diseases, due to stink, dust, smoke and the wet-muddy ground on which they have to keep standing for long hours for performing their duty of serving the customers. They generally suffer from various lung diseases, including pneumonia and asthma. They do not have urinal, privy or bath. They use the roadside open spaces and hydrants for these needs. There is a continuous sound of din and bustle and chat of the customers throughout the day. This harsh sound reacts on the nerves of the serving boys, which affects their brain and circulation of blood to some extent. It creates a difficult health problem to these workers. Particularly, dust and working on bare-foot on damp or wet soil throughout the day make them sick very often. As a result, they often fall sick and lose their wage.

The cooking place of the establishments is very un-hygienic, dark filthy, muddy, extremely hot and has very little space. Those who assist in cooking have to remain in it for long hours. Other boys, who serve the customers, have to come and stay for sometime in it, for serving the customers. Thus, both the groups have to suffer the consequences of such unhealthy condition, which cause various diseases. This occupation also needs constant standing, bending forward at short intervals to serve the customers, or maintain a fixed taut position. Owing to much strain, many of them suffer from permanent injury of heart, arms or legs.

CHILD LABOUR : A LIFE PATTERN



Long hours of work, late hours of night employment, continuous use of a single set of muscles, cause nervous strain or break-down and muscular deformity. In factories, they have to handle various poisonous chemicals, which affect their respiratory system and skin. Besides, they fall into occasional accidents for carelessly handling heavy loads and various other causes. Though employment of Child labour in factories is banned by law, it is seen they are employed in a large number in India by various industries to make large profits.

Growth and development of the children is the sum-total of the interaction between their innate growth potential, vital food, and environmental influence. Protecting the child from malnutrition is the main task of the parents as also of the society, as they are the future of the society. But the poverty-stricken economy of India cannot do this. The infant mortality rate in India is therefore very high. It approximates to 13.9 per 1000, according to the record of the Registrar General of India, on the basis of survey made in 1972. It also noted that 65 per cent of all deaths that occur in the country pertain to children below the age of 5 years, many of them are in the age-group of 0-1 year. These deaths mainly occur from malnutrition and preventable disease.

People tied with the village culture are generally non-migratory, but grinding poverty in the villages pushes them out to the cities and urban areas for earning bread, and after a lapse of time, they express their apathy to village life. Some, however, want to maintain their contact with the village. This survey has revealed that 87.5 per cent children do not want to go back to their native villages. Even so, 90.92 per cent of them were found to keep regular communication with their native home. Besides annual festivals, they pay visit to their homes during various family ceremonies, or when occasion demands. Most of them told that they cannot do any sort of agricultural work like ploughing and allied works, because of their long absence from their villages, though the main factor is their gradual integration with the city-life. City excitements, fooding and lodging, so-called recreations and above all, close acquaintance with urban people, integrate them with the city-life. Thus they are gradually isolated from the villages and become city-dwellers.

Duration of stay in urban area is one of the discerning features of the impact of urbanisation on an individual. Migration and stay of Child labourers in a large number in Calcutta have caused various demographic, economic and social problems, as one group have got employment while the others not. Table 4 : 7 gives an account of the period of stay in Calcutta of the working children covered by this study.

TABLE 4 : 7
CHILD LABOURERS RESIDING IN CALCUTTA

Age group	Duration of stay and No. of children					Total
	6 months	6 months-1 year	1 year-2 years	2 years-3 years	4 years and above	
6--7	—	—	1	—	1	2
7--8	4	—	—	—	—	4
8--10	6	1	—	1	4	12
11--12	22	—	6	10	4	42
13--14	43	11	16	20	10	100
Total	75	12	23	31	19	160

Since shop-wise study was made, a few non-migrant children have been included in the table. It shows that the duration of stay is lower in the higher age-group. On the other hand, the number of children staying for 6 months is geater, totalling 75.

Migrants desiring to stay in Calcutta had different intentions at the time of leaving their villages. But the general motive was to secure a means for survival. These poor boys were sent either by their parents or guardians, being unable to feed them. Many of them have joined the labour force, even at the tender age of 6 years. The immature child, leaving behind all his kith and kin and his primary contact in the village, starts towards an unknown place of refuge with uncertainty. Naturally he will not want to stay in any unknown place. But the data does not confirm these facts. However, the working children pay occasional visits to their native places. When they were asked

by the investigator. 'Do you keep any contact with your village' ? 90.62 per cent children told that they maintain regular communication with their native village. With the captivating influence of urban glamour, they gradually lose their interest for their native village.

Complexity of culture, heterogeneity of population and character of economic organisation of an urban milieu or a city, depend on its size. It has been found during this study, that at a first glance, the city attracts one by its gorgeous structures, spacious roads, fleet of cars, garlands of light, and many other majestic historic sites, but this excitement dies later. The city is predominantly a place of secondary relationship. It is characterised by decline and loss of neighbourly relations and interactions. A more or less intimate sub-group is formed among the migrants, particularly in large industrial sectors, who have a particular set of behaviour patterns. The present study has revealed that a peculiar behavioural pattern is also developed in different establishments by the various ethnic groups working there. The migrant children bring with them their traditional indigenous culture, and are influenced soon by the urban milieu. How much a child would be urbanised, depends on the standard of culture he brings. If the urban culture appears to him as superior and attractive, he accepts it. Unlike the lower status migrants, higher status migrants in traditional societies tend to retain their own cultural characteristics. Moreover, the child is readily influenced by environment, and when any change appears to him as attractive, he gradually attunes himself with it.

The vast number of working children, scattered here and there, contribute a fairly good amount to their family expenditure every month. The Indian Council of Child Welfare, in a recent survey, has calculated that working children (the nation wide estimate being 13.59 million), contributed 14 per cent of the monthly earning of families, with an income of around Rs 300. On the other hand, the National Institute of Public Co-operation and Child Development in its study of working children in Bombay has stated that children provided 23 % of the income of the families they have surveyed. Table 2 : 5 of the Chapter 'Migration from rural areas' shows the economic condition of the families covered by this survey. It was earlier discussed that of the 160 households,

58 have not more than 2 working children, 36 households have 3, 34 households have 4 and 32 households have 5 or more working children. The survey has further revealed that 'guardians, i.e., father or mother' of 84.37 per cent of such families are earners. The peculiar economic structure of West Bengal does not permit to unearth the income of the individual families, as these are made from various sources, by different members, and no account of such earnings is kept by individual families. The minimum wage rates for agricultural labourers fixed up by the Government are not given in most of the villages. So it is not possible to compile the correct amount of earning of individual families, merely by guess. It will, however, be evident from the earlier mentioned data that the families of the working children are poor. Therefore, to meet the family needs, old people, women and children have to secure work somewhere, somehow. Thus want and poverty, more than anything else, compel the grown-up men and women in rural areas to seek employment outside, for which, both household and agricultural works are upset a good deal, affecting very much the normal economic functioning of the villages.

The respondents expressed immense interest in the majestic setup and manifold facilities of the city. They considered their employment as an access to city-life, which they could never have otherwise. They do not bother about their poor pay, as they are otherwise satisfied by the city amenities and allurements. But being tied to their work whole day and night, they do not get any scope for education, games and recreation. As such, they remain illiterate, backward, wretched and sick. So they suffer from various diseases, now and then, and thus being physically unable to attend duties, they are sacked in most cases and lose their job. In such cases, they are often sheltered and offered food by the vagabonds, and being impressed by their friendly and human gesture, some of them join their ranks. Thus, a part of these boys ultimately become urchins and delinquents. Of the others, some could secure another job, and some go back to their village homes. However, these child workers are of a shifting nature and they do not stick to a particular job for long. Though these groups of child workers offer all-out and ungrudging service, they do not get any recognition or reward or security in service for such service and sacrifice. Instead,

what they are paid, is far below the living wage, and they are thus exploited. Such exploitation of child labour has to be stopped by proper legislation by the Government for healthy growth of the society, as a whole. Besides, they should be given training in different trades to acquire skill for their future development. Otherwise, a fair proportion of the manpower will be wasted, causing overall national loss in production.

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Child Labour an Over-View

When work is a duty, life is slavery

—Maxim Gorky

STUDY of attitude is of fundamental importance to have an over-view of the situation, specially the 'demos', as well as their attitude towards any prevailing problems are essential to be ascertained. Though the people in general are not well-conversant about their problems, and so cannot suggest any remedial measures, yet this can throw some light to understand the problem in general and to have remedial measures.

The terms 'attitude and opinion' are often used as synonyms. Traditional and modern thinkers, however, give different interpretation of these terms. The definition of 'attitude' is stated by Allport as follows :

"An attitude is a mental and neutral state of readiness, organised through experience, exerting directive or dynamic influence upon the individual's response to all objects and situations with which it is related."¹

Stepping ahead Newcomb says

"Attitudes are not themselves responses, but states of readiness to respond. Hence they can be measured only indirectly."²

Gardner Murphy defines attitude as 'readiness to react in one way, rather than another'.³ Dobb says, 'Before an attitude can be aroused, some kind of stimulus has had to be present.'⁴ Attitude is the individual mental process which determines the opinion on certain values or material aspects.

All these definitions seem to agree that 'attitude' is a state of readiness, a tendency to act or react in certain manner when confronted with any problem. Most of the time, attitude is latent and it is expressed through speech and other behavioural patterns. Personal belief feeling are the factors which convert it into behaviour. Attitudes are ideas and sentiments.

Common people are of the opinion that these children are digging out their graves by engaging themselves in such menial jobs and petty employments. They should be reared up as is done in the common educated families. Constant hard labour in unhygienic conditions causes them great health hazard. In this way, their childhood is denied of its joy and care, and ultimately prospective manpower is wasted to a large extent. On the other hand, some are of the opinion that these poverty-stricken children have to earn for their families, of necessity. They contribute to the income of their family to some extent, by which its miseries are somewhat mitigated. They further argue that these children are better-off today than in the past. They wear good shirts and pants and eat whatever they like. In comparison with the past days, children at least are enjoying liberty now. Now they are not the victim of the 'pater-family'. In some cases, they are getting facilities of recreation, education and other amenities. Even they are free to choose their own way of living.

Some people say that millions of child labourers seeking jobs augment the unemployment problem. Unemployment is the crucial problem in the backward economy of our country and hinders its economic growth. If Child labour is kept away from the field of employment, the vacancies may be filled up by adult labour. It will ensure the progress of the country. Some people say that they are thus pulling back the economy by increasing unemployment. Not only they are creating the unemployment among the adults, but also they are harming the 'wage-structure' of the labour force, as millions of such Child labour remain unskilled throughout their life and are paid petty wages. If these children are properly trained, they may be good workers. But

when the child grows older in an uncongenial environment, he loses all sorts of qualities of a human being. Thus a decaying backward generation is formed.

Some economists say, child employment lowers down the wage-level too much beyond market increases the supply of labour to a large extent, which pushes down the level of wages. They further say that it also lowers productivity. Others say that they are destroying their families permanently. They live in the city and gradually get accustomed with the city-life, and never want to go back to their native places in spite of many hazards in the city. In this way, the very framework of rural family is shattered.

Some other group of people say that the causes of pre-dominance of Child labour is poverty. Dire poverty has pushed them to take up employment for survival. Their parents could hardly make both ends meet and rear up their children properly. Employment of children not only make the parents free from their duties, but also add to the family income. On the contrary others are of the opinion that rapid urbanisation has disorganised the rural families and children who are deprived of family care, are compelled to take shelter outside the home and secure a means of subsistence. These neglected children represent the larger portion of Child labour. Some others think that the main cause of existence of Child labour in this State is the influx of refugees from Bangladesh. Still others think that over-population is the cause of the spread of Child labour. Economic growth cannot keep pace with rapid population growth. The increasing population is aggravating the economic problem and as a result pushing the children to the cities and shanty towns.

Most of the people vehemently oppose the employment of children in any sort of job. Child labour is the shameful scar of the nation. According to them, these children are denied of their childhood care, comfort, training and education. Child labour is a contradictory term, since they are not supposed to work. So it should be abolished altogether. Others are of the opinion that in the present Indian context, total abolition of Child labour is not possible at all. According to them, abolition of Child labour will throw millions of destitute children to destruction. They have proposed some measures, by which the working conditions may be improved.

Regarding the welfare measures for these child workers, the opinion also vary. Some suggest that strict implementation of the laws and regulations can eliminate such employment. Others are of the opinion that regulations and laws can neither uplift the condition of Child labour, nor prevent it. It is merely an attempt to suppress this national slur. According to them, some pragmatic socio-economic measures should be adopted to uplift their condition. Others go further and recommend the revision of the Old British Laws. According to them, since the inception of British rule, thousands of regulations had been passed, but this vile practice could not be stopped.

The existence of conflicting opinions prove that social attitudes towards this problem are different. The varied socio-economic situations, coupled with cultural values, are reflected in their opinion. Thus we marked psychological differences, which may be regarded as variation of degrees of the same attitude. These differences in degrees of an attitude or 'variable' can be measured scientifically by structured questionnaire, on the basis of answers to these by the respondents. The number of Labour Commissioners examined is 10, Trade Union Leaders 20, Social Scientists 25, Social Workers 25, and Journalists 20. It may be stated in this connection that the researcher had contacted more than 115 such respondents. It is to be further noted that some of the respondents discussed the problem from different angles and argued that the necessity of the attitude survey was irrelevant as a solution of this problem. The Trade Union Leaders also did not give any importance to this problem and treated it merely as a 'window-dressing'. Five Social Scientists of a reputed University did not pay any heed to the set questionnaire. Six Social workers of Government Organisations refused to give any answer and one Journalist of an English Daily did not give any response to the questions put to him.

It is, however, a very pertinent question for all who think about the welfare of the society to ponder upon and suggest as to whether Child labour should be abolished, or instead their working condition should be improved. The data show that 70 per cent of the Labour Commissioners are not in favour of abolition of Child labour. They are of the opinion that Child labour should not be altogether abolished. Instead their working condition should be improved. In tune with the Labour

Commissioners, 14 Trade Union Leaders out of 20 interviewed, expressed their opinion against abolition of Child labour. In case of Journalists, 50 per cent supported the statement of Trade Union Leaders. Similarly, 40 per cent Social Workers wanted to improve the working condition of Child labour, and 24 per cent Social Scientists were in favour of improving the condition of their work, before abolition of Child labour, to see the resultant effect. On the other hand, 76 per cent of Social Scientists, 60 per cent of Social Workers, 50 per cent of Journalists and 30 per cent each among Labour Commissioners and Trade Union Leaders strongly suggested for immediate abolition of Child labour. It also shows that both Labour Commissioners and Trade Union Leaders in the same proportion, have expressed their opinion for the abolition of Child labour. But the Social Scientists top this list. Out of all respondents, a majority (53 out of 100) did not support continuance of Child labour by improving their working condition.

TABLE 5 : 1

OPINION ON RESTRICTION OF CHILD
LABOUR IN HAZARDOUS AREAS

<i>Category of respondents</i>	<i>Yes</i>		<i>No</i>		<i>Total (Respondents)</i>
	<i>No.</i>	<i>%</i>	<i>No.</i>	<i>%</i>	
Labour Commissioner	10	100	—	—	10
Trade Union Leader	17	85	3	15	20
Social Scientist	25	100	—	—	25
Social Workers	25	100	—	—	25
Journalists	18	90	2	10	20
Total	95	95%	5	5%	100

Considering the present decaying socio-economic condition, one may argue that Child labour should not be altogether abolished, as many poverty-stricken families fail to provide the minimum living and social requirements of a child. They say that child employment should be restricted for hazardous areas and unhygienic environments, to save them from accidents and

killing diseases. Generally hazardous areas are factory jobs, and the unhygienic condition includes the dark non-ventilated rooms, muddy wet soil in front of the way-side tea and catering shops, the dingy storage godowns, etc., where the sun-rays do not enter. Workers engaged in such establishments are exposed to health hazards and suffer from fatal diseases. Table 5 : 1 shows that 95 respondents out of 100 think that Child labour should be abolished in hazardous areas. The pioneering role in this respect is being played by Labour Commissioner. Cent per cent labour commissioners, social scientists and social workers think that child employment should be abolished in hazardous areas, but 25 per cent trade union leaders are of the opinion that child workers should be far away from the hazardous areas. The same opinion has been expressed by 20 per cent of the journalists.

TABLE 5 : 2
OPINION ON TOTAL ABOLITION OF
CHILD LABOUR

Category of respondents	Yes		No		Total
	No.	%	No.	%	(Respondents)
Labour Commissioner	3	30	7	70	10
Trade Union Leader	7	35	13	65	20
Social Scientist	10	40	15	60	25
Social Worker	7	28	18	72	25
Journalists	6	30	14	70	20
Total	33	33%	67	67%	100

Table 5 : 2 shows that majority of the respondents (67 out of 100) gave negative answers. They are of the opinion that in the present Indian context, abolition of Child labour is not possible, as it is a source of supplementary income of the poor families. 72 per cent of the social workers opposed abolition of Child labour and 70 per cent of the labour commissioners, 65 per cent of the trade union leaders and 60 per cent of the social scientists corroborated with this view. But the noted thing is

that, 33 per cent respondents of all groups favoured abolition of Child labour. 40% of the social scientists and 30% trade union leaders are in favour of total abolition of Child labour.

Child is addressed by the term 'labour' in this sector. It is a derogatory term and affects the process of their socialisation, though children do some or other kind of work, since the very inception of civilization. From this, one could easily realise the result of total abolition of Child labour. Our data show that 63 respondents out of all groups, believed that abolition of Child labour will aggravate the problem more and divert them to delinquency. Among them, the labour commissioners constituted 80 per cent, followed by social scientists (68 per cent), trade union leaders (65 per cent), journalists (60 per cent), and social workers (52 per cent). A minority group (37 respondents out of 100) opined that mere abolition of Child labour will not aggravate the problem awfully if they get home-care and proper education.

TABLE 5 : 3

OPINION ON THE QUESTION OF BANNING CHILD LABOUR
BY SOCIAL LEGISLATION, INDIVIDUAL CONSCIOUSNESS,
ECONOMIC DEVELOPMENT

<i>Category of respondents</i>	<i>Social legislation</i>	<i>Individual consciousness— social, political and economic</i>	<i>Overall economic development</i>	<i>Total (Respondents)</i>
Labour Commissioner	1	1	8	10
Trade Union Leader	2	2	16	20
Social Scientist	—	3	22	25
Social Workers	3	2	20	25
Journalists	—	2	18	20
Total	6	10	84	100

'Is it possible to ban Child labour by social legislation, or by individual consciousness, or by social, political and economic measures, and through total economic development?'—this

question was put to the respondents to get a better perspective of preventive measures. Table 5 : 3 contains their views. The table shows that only 6 respondents out of 100 supported taking legal measures, in case of individual consciousness—social, economic and political, 10 respondents had supported the measures. It reveals that out of 100 respondents, 84 had in favour of total economic development (i.e. 84%). Thus it is observed from the table that majority (84%) preferred total economic development to abolish Child labour. Therefore it may be stated that according to the opinion of the different categories of respondents, successful abolition of Child labour cannot be made through social legislation or by individual consciousness. It is only possible by an integrated economic plan for total development.

TABLE 5 : 4

OPINION ON RECRUITMENT OF CHILD LABOUR

<i>Category of respondents</i>	<i>Cheap</i>	<i>Efficient</i>	<i>Easily available</i>	<i>Any other causes (Respondents)</i>	<i>Total</i>
Labour Commissioner	10	—	—	—	10
Trade Union Leader	20	—	—	—	20
Social Scientist	22	—	3	—	25
Social Workers	22	—	3	—	25
Journalist	16	—	2	2	20
Total	90	—	8	2	100

Next point of study was to probe 'why employers prefer to employ Child labour'? Table 5 : 4 shows that 90 respondents out of all categories had the first preference for having 'Child labour' being cheap. 8 respondents mentioned employers employ Child labour for their 'easy availability'. In the case of 'any other cause', 2 had given opinion first for it. It may be mentioned here that all the trade union leaders opined that due to cheap wages of Child labour, employers prefer to employ them. On

the other hand, the journalists stated that apart from 'cheap labour', there were some other reasons for preference to engage Child labour.

TABLE 5 : 5

THE CAUSES OF CHILD LABOUR

<i>Category of respondents</i>	<i>Poverty</i>	<i>Over-population</i>	<i>Want of labour force</i>	<i>Sudden natural calamities</i>	<i>Influx of refugees</i>	<i>Any other causes</i>	<i>Total (Respondents)</i>
Labour Commissioner	10	—	—	—	—	—	10
Trade Union Leader	20	—	—	—	—	—	20
Social Scientist	22	3	—	—	—	—	25
Social Workers	25	—	—	—	—	—	25
Journalist	20	—	—	—	—	—	20
Total	97	—	—	—	—	—	100

To ascertain the causes of origin of Child labour and their ever-increasing number, the question 'What are the causes of incidence and multiplicity of Child labour?'—was asked. Table 5 : 5 shows that 97 respondents mentioned 'poverty'. 'Over-population' was mentioned by 3 respondents. Thus, it is clear from the table that 'low economic condition' or 'poverty' is the root cause for driving out the children from their home and act as Child labour.

A lot of deliberations are going on throughout the world regarding the fixation of age of Child labour. The International Labour Organisation has fixed the minimum age of Child labour to be not below the age of 15, and it is now strictly followed by most of the advanced countries of the world. India too is not lagging behind. Constitutionally it has fixed the age of Child labour at 14 years. To elicit the opinion of the respondents in this regard, the question 'Is it feasible to fix the minimum age of

TABLE 5 : 6

OPINION ON FIXING THE MINIMUM AGE TO PREVENT
CHILD LABOUR

Category of respondents	Yes		No		Total
	No.	%	No.	% (Respondents)	
Labour Commissioner	9	90	1	10	10
Trade Union Leader	15	75	5	25	20
Social Scientist	16	64	9	36	25
Social Workers	17	68	8	32	25
Journalists	8	40	12	60	20
Total	65	65%	35	35%	100

Child labour ?—was put to them. Table 5 : 6 shows that 90 per cent of the labour commissioners opined that there is no hurdle to fix up the minimum age of Child labour. 75 per cent of the trade union leaders, 68 per cent of social workers, 64 per cent of social scientists and 40 per cent of the journalists were also in favour of fixing up the minimum age of Child labour. It will be found from the table that 65 respondents out of 100, favoured the fixation of minimum age of Child labour, but 35 respondents expressed contrary opinion, of whom 12 are journalists.

TABLE 5 : 7

OPINION ON DESIRABILITY OF LABOUR UNION

Category of respondents	Yes		No		Total
	No.	%	No.	% (Respondents)	
Labour Commissioner	8	80	2	20	10
Trad Union Leader	20	100	—	—	20
Social Scientist	19	76	6	24	25
Social Workers	17	68	8	32	25
Journalists	15	75	5	25	20
Total	79	79%	21	21%	100

Child workers are the worst sufferers of various health hazards and diseases, and are victimised in regard to wages and service condition. It is found that they are compelled to work in most unhygienic condition. In every democratic country, trade union plays a vital role to uplift the condition of the workers. The question, 'Whether trade union among child workers should be organised',—was asked to the respondents. Table 5 : 7 shows that cent per cent trade union leaders, 80 per cent of the labour commissioners, 76 per cent of the social scientists, 75 per cent of the journalists and 68 per cent of the social workers were in favour of organising trade unions in this sector, where children are employed. Out of 100, 79 respondents favoured organising trade unions, and 21 were not in favour to do so. It is interesting to note that 8 social workers, 6 social scientists, 5 journalists and 2 labour commissioners were not in favour of organising such labour unions, but all the trade union leaders supported taking this measure.

In the present context, where millions of children live below the 'poverty line', some welfare measures should be adopted by which these children can develop their skill and efficiency to act as 'useful labour force' in future. Generally most of the respondents were in favour of developing the 'skill and efficiency' of the child workers. But the problem is how it can be done. To elicit the correct and pragmatic answers, some suggestions have been framed by this investigator. Opinion of the respondents were obtained on these points. Table 5 : 8 shows that 44 respondents attached first preference to 'learning while earning', 5 expressed second, and 2 gave third preference for it. Out of all, 21 respondents gave first preference, 14 respondents gave second preference, 1 respondent gave both third and fourth preference to 'providing night education'. Out of all, 17 respondents gave first preference, 11 gave second preference and 9 gave third preference to 'ensuring some social security measures'. Only 3 respondents gave first preference, and 2 second preference to 'any other measures'. Thus it is observed from the above facts that out of 100 respondents, 44 gave their first preference to 'learning while earning', for the development of skill and earning capacity of the child.

It is needless to mention that Child labour is an age-old problem of civilization. But the question is 'Is it more a social than

TABLE 5 : 8
OPINION ON IMPROVEMENT IN CONDITION OF CHILD LABOUR

Category respondents	P R E F E R E N C E S												Any other measures	Total (Respondents)			
	Learning while earning			Minimise working hours			Providing night education			Ensuring some sort of social security							
	1	2	3	1	2	3	4	1	2	3	4	1			2	3	
Labour Commissioner	6	—	—	2	1	1	1	—	—	—	1	1	2	1	—	—	10
Trade Union Leader	6	3	—	7	2	—	—	1	4	1	—	1	—	2	3	—	20
Social Scientist	12	2	2	6	6	—	—	3	2	2	1	3	3	2	—	—	25
Social Workers	12	—	—	3	3	—	—	3	2	2	—	6	3	3	—	2	25
Journalists	8	—	—	3	2	—	—	3	2	2	—	6	3	1	—	—	20
Total	44	5	2	21	14	1	1	10	10	7	2	17	11	9	3	2	100

economic problem ?' —though all social and economic problems are inter-related. The data show that cent per cent of trade union leaders, 80 per cent of labour commissioners, 76 per cent of social scientists, 75 per cent of journalists and 68 per cent of social workers, opined that Child labour was a 'social problem'. Thus it is found that, 79 respondents out of 100, gave positive answer to this question, and the rest 21 respondents did not agree with this proposition. They were of the view that it was an economic problem. It is true that due to economic reasons, children rush to the cities, but the impact of Child labour is reflected on the society in various ways and causes social problems.

The next point of finding was that from the alarming rate of growth of Child labour, what sort of social problems will crop up ? The data show that 4 out of 25 social workers, 3 out of 10 labour commissioners, 2 out of 25 social scientists gave first preference to the increase on 'infant mortality rate'. 3 social scientists gave second and 2 social workers gave third preference to it. But 10 trade union leaders, 9 social scientists, 8 social workers, 6 journalists and 2 labour commissioners gave first preference to 'degenerated socio-cultural atmosphere' as its effect. 4 journalists, 3 trade union leaders, 3 social workers, 2 social scientists and 2 labour commissioners gave their second preference to the same cause, and 3 labour commissioners and 3 social workers gave their third preference to it. 3 journalists gave first preference to 'affected infrastructure', 4 trade union leaders, 4 social scientists, 3 social workers gave second preference to it, and 5 trade union leaders and 3 social scientists gave third preference to this cause. 5 labour commissioners, 3 social scientists gave first preference to the cause of 'workers' health hazards', 4 trade union leaders, 4 social scientists and 2 social workers gave second preference to it, and 4 social workers, 3 social scientists, 1 labour commissioner gave third preference to this cause. 5 social workers, 2 social scientists and 2 journalists gave first preference to the formation of 'delinquent gangs', and 2 journalists gave second preference to this effect. 2 journalists gave first preferences to the growth of 'antisocial elements', and 4 trade union leaders, 3 social workers and 3 journalists gave third preference to this effect. 8 social workers, 6 trade union leaders, 9 social scientists and 3 journalists gave first preference

to the cause that it will 'vitate the ecology of welfare' (i.e., environment of welfare efforts), and 3 labour commissioners and 2 journalists gave third preference to it. Thus it is observed from the table that 35 respondents out of all, gave first preference to the effect of 'degenerated socio-cultural atmosphere', 26 respondents gave first preference to the effect that it will 'vitate the ecology of welfare', 17 respondents gave first preference to the cause 'infant mortality rate', 9 respondents gave first preference to formation of 'delinquent gangs', 8 respondents gave first preference to the cause of 'health hazards', and 3 respondents gave first preference to its 'affecting the social-infrastructure'.

Some information have been collected for examination. To seek the opinion of the respondents who are directly and indirectly associated with this problem, an attempt has been made to collect related data with 13 'structured questions'. An examination of the attitudes of others towards these working children from these data, have revealed the following facts.

Majority of the respondents opined that Child labour should be abolished first, even before improvement of their working condition. Further, most of them have expressed the opinion that particularly in hazardous sectors, employment of Child labour should be restricted immediately. In regard to abolition of Child labour, most of the respondents believe that in the present socio-economic conditions of the country, it is almost impossible to abolish it altogether at this stage, though 33 respondents expressed their view for immediate abolition. In support of the above statement, majority also believe and opined that abolition of Child labour will aggravate the problem more awfully.

In regard to the possibility of banning Child labour through social legislations, individual consciousness and total economic development, most of the respondents (84 per cent) preferred and thought that it was possible only through total economic development.

It is interesting to note that though minority of the respondents preferred to abolish Child labour, at the same time, they opined that it was not possible to do at this stage. For giving them proper remuneration, most of them (75 per cent) suggested that they should be organised under Trade Unions as other organised labour force, so that a Child labour could not be

exploited by the employer any more. They suggested that when the baneful practice of employment of Child labour cannot be abolished immediately, their skill may be developed for better earning, 44 per cent of the respondents suggested that they should 'learn while they earn'.

From all the above statements, it is quite clear that poverty is the main reason, and some other social factors also play a role in the growth of Child labour in a society. This view is also supported by the respondents and 70 per cent of them agreed to it.

It may also be mentioned that mainly for economic reason, children come into the cities for working as labour, but ultimately the society has to bear the cost of losing a large part of its latent talent, and different social problems are created by their nature of work, condition of living and social aberrations. Some questions were put to the respondents in this regard, and they told that increasing Child labour, enhance 'infant mortality rate', 'degenerate socio-economic structure', 'affects the social infrastructure', causes 'health hazards', 'forms delinquent gangs' and 'antisocial elements', and 'vitiates the ecology of civic welfare'. But the degree of affection varies. The highest and the first preference was expressed for the resultant cause that it will 'degenerate the socio-cultural atmosphere'. The second preference was that it will 'vitate the ecology of welfare', followed by 'infant mortality rate', 'delinquent gang', 'cause workers' health hazards', 'affect the infrastructure', as successive preferences. It is interesting to note that a sizable number of respondents gave second preference to 'degenerate socio-cultural atmosphere'. It is, therefore, found from the study that 'degenerate socio-cultural atmosphere' is quoted by an overwhelming majority as the main cause for the growth and existence of Child labour in this country, as elsewhere.

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Legal Protection

Bad laws are the worst sort of tyranny

—Burke

LEGAL protection to the working child labourers came to surface in different ways. There is a legend regarding enactment of Child labour laws in Great Britain. Open street trading of children came to the notice of magistrates and some philanthropists in the first half of the nineteenth century. The Scottish Education Act of 1878 was the first attempt of Parliament to deal with the question of stray children. A few Acts relating to Child labour were passed by the British regime. Industrial cities pulled the pauper children into the work force as they became the victim of the brutal dominations of the greedy and unscrupulous employers. This was reflected in the report of the Royal Commission. To improve this situations the Royal Commission for labour in England recommended the enactment of a separate Act and proposed that the Act should fix the minimum age for admission to such works at 10 years, stipulating that the hours of work of children between 10 and 14 years of age should be limited to 7 hours a day, with an interval for rest of a least one hour, and that overtime and performance of some type of work by children should be prohibited.

Soon after independence, several laws, which derive its legitimacy from the Indian Constitution and which also became the principal declarations of Human rights adopted by the General Assembly of the United Nations on 20 November, 1959, were formulated to regulate employment of children.

The Constitution makers included different provisions in the Constitution to prohibit employment of children. India's abiding interest in the welfare of the children has been expressed in the country's commitment contained in Articles 15 (3), 23, 24, 39, 42, 43, 45 and 51(e) of the Constitution. The Constitutional provisions are as follows :

Articles 15(3) of the Constitution lays down that,

"Nothing in the Articles shall prevent the State from making any special provision for women and children."

Article 23 is the most important article. It prohibits all traffic in human beings and beggars and other similar forms of forced labour. Further, it makes any contravention of the articles an offence punishable in accordance with law. It is analogous to the 13th Amendment to the Constitution of America. The Constitution does not rest here. It further contains an express prohibition against employment of children. In Article 24, it clearly states :

"No child below the age of fourteen years shall be employed to work in any factory or mine or engaged in any other hazardous employment."

In this respect our Constitution has special identity. No other Constitution, not even the American Constitution, contains any such direct prohibition. In the Constituent Assembly the draft of Article 24 was prepared by Dr. B. R. Ambedkar, Dr. K. M. Munshi and Shri K. T. Shah. Among the proposers, Dr. Munshi originally proposed the following norm :

"Child labour in all forms is prohibited and employment of children for any purpose whatever shall not be permitted except under conditions prescribed by the law of the Union."

The Directive Principles of State policy reaffirm these specific directions in Article 39 in the following terms :

"The State shall in particular, direct its policy towards securing, 39(e) the health and strength of workers, men and

women, and see that the tender age of the children is not abused, and that citizens are not forced by any economic necessity to enter any avocation unsuited to their age and strength."

Protections against exploitation of children and youth are ensured in the Article 39(f) which states that childhood and youth should be protected against moral and material abandonment. A study of the Directive Principles shows that there is a distinct emphasis on justice to workers. Under Article 42 the State is enjoined to make provision for securing just and human conditions of work and for maternity relief. Article 43 further states :

"The State shall endeavour to secure, by suitable legislation or economic organisation or in any other way, to all workers, agricultural, identical or otherwise, work, a living wage, good conditions of work to ensure a decent standard of life and full enjoyment of leisure and social and cultural opportunities, and in particular, the State shall endeavour to promote cottage industries on an individual or co-operative basis in rural areas."

The long-cherished ambition of the Indian people has taken a material shape in the 45th Article. It provides for free and compulsory education for all children. It reads :

"The State shall endeavour to provide, within a period of ten years from the commencement of this Constitution, free and compulsory education for all children until they complete the age of fourteen years."

But it remains a far cry to the vast millions of Indian children as yet.

A conducive climate should be created to abolish Child labour altogether in tune with the objective of the ILO. Article 51(c) directs the State to foster respect for International treaty obligations.

International Labour Organisation and Child Labour

Alarming unrest emerging from the large growth of Child labour force in many developing countries throughout the World

demands special protection to them so that the children are not deprived of their rights without which their knowledge and skill are of little avail. The ILO extends its arms to protect the child from such onslaught. One of the aims of the International Labour Organisation since its inception is the abolition of Child labour. The ILO, in its 18 conventions, has fixed the minimum age of admission to employment, nature of night work and medical examination, and it has adopted 9 recommendations on these topics.

The prohibition of employment of children has been one of the basic concerns of the ILO since its coming into existence. In its preamble, it specifically noted the following goals :

“... achieving the total abolition of child labour ...”,

and requests member states to ‘raise progressively the minimum age for admission to employment or work to a level consistent with the fullest physical and mental development of young persons.’ Ten conventions have been held by the ILO on the issue of fixation of the minimum age for admission to various employments.

The basic aim of the ILO to abolish Child labour altogether is yet a distant goal in view of the present economic setup of the World . It has taken measures to protect the working children and to ameliorate their working and living conditions and to impart job-based education. The United Nations declaration of the rights of the child says :

“The child shall enjoy special protection and shall be given opportunities and facilities, by law and by other means, to enable him to develop physically, mentally, spiritually and socially in a healthy and normal manner and in conditions of freedom and dignity. In the enactment of laws for this purpose the best interests of the child shall be the paramount consideration.”

It further states that :

“the child shall be protected against all forms of neglect, cruelty and exploitation. He shall not be the subject of traffic, in any form. The child shall not be admitted to employment before an appropriate minimum age ; he shall

in no case be caused or permitted to be engaged in any occupation or employment which would prejudice his health or education, or interfere with his physical, mental or moral development."

Since the very initiation of the ILO, India has retained her active membership to regulate her labour laws in the line of the international standard. Indian laws relating to child workers have been influenced by the standard laid down in International Labour Code. But India has faced difficulties in ratifying all the ILO conventions. It has ratified six conventions concerning the employment of children and young persons in Industrial and Non-industrial occupations. Though it is not impressive, yet India's attitude towards international labour standard of working facilities of labour cannot be measured by merely formal ratification of the internal conventions, since her economic needs and setup are quite different.

Following the peculiar socio-economic condition of India, the ILO has changed its earlier decision in 1983, which is as follows :

"Not all work is harmful for children. Some types of activities under regulated conditions can have positive effects for the child and for society. Work experience of the right sort can be means of acquiring skills, of learning responsibility, of becoming a full member of the community, in short, a valuable part of growing up."

Indian laws have got their ingredients from the ILO conventions and recommendations and from the Declarations of the rights of the child, unanimously adopted by the General Assembly of the United Nations on November 20, 1959.

To protect the children from the abuses of employment and exploitations there are several Indian statutory provisions, viz., the Children (Pledging of labour) Act, 1933, the Employment of Children Act, 1938, Factories Act, 1948, the Plantation Labour Act, 1951, Mines Act, 1952, the Merchant Shipping Act, 1958, the Motor Transport Workers Act, 1961, the Beedi and Cigar Workers (Condition), 1966, the Apprentices Act, the Contract Labour Regulation Act, 1970, the Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979, the Child Labour (Prohibition and Regulations) Act, 1986,

Shops and Establishment Act. These Acts have restricted the hours of work, stipulated the period of rest, leave, minimum wages, protection against exploitation, fixed the minimum age of employment. Besides other legislation, framed for this purpose were workmen's compensation, trade unionism, industrial relation, maternity benefit and workers' housing acts.

Factories Act

The first Factories Act was passed in 1881. Labour legislations in India owed their origin to two distinct sources. A child below 7 years of age was restricted to get any employment. A child was defined as a person below 12 years of age. Their hours of work were limited to 9 a day with an interval of one hour rest and they were also entitled to get four holidays in a month. It prohibited double employment on the same day. To fill up the lacunae of the Factory Act, 1881, Government of India passed Indian Factories Act, 1891, to implement the recommendations of the Bombay Factory Commission of 1884 and International Labour Conference, held in Berlin in 1890 after the initiation of International Labour Organisation as a part of the League of Nations under the Treaty of Versailles of 1919. By this Act a child was defined as being a person below 14 years of age. This Act raised the minimum age to 9 years and the hours of work of children were reduced to 7 a day, with half an hour's interval and one weekly holiday. The most important recommendation was that the children were prohibited to work at night between 8 P.M. and 5 A.M. Local Governments were authorised to make rules regarding sanitation, cleanliness, ventilation and water supply. The third Indian Factories Act of 1911 made it a compulsion to produce certificate of physical fitness in times of seeking job in a Factory. Further, hours of work of children in textile industries were reduced to 6 a day. First Session of International Labour Conference was held in Washington in 1919 and soon after the minimum age of employment was raised to 14 years. Stress was placed on minimum age, and night work of young persons. In consequence the Indian Factories Act of 1911 was amended in 1922, making some important changes in the provisions. The most important amendment was that a 'child' was defined to be a person who was under 15 years of age. This act

made a distinction between textile and other factories. The Factories Act of 1911 was further amended in 1923 to add some minor changes for administrative purposes. To give effect to the recommendations of the Royal Commission for Labour, the Government of India drafted a Bill with three-fold objects, namely—

- (1) reduction of hours of work,
- (2) improvement of working conditions and
- (3) better observance of the provisions of the act by factories.

Later a Bill was enacted, and the act came into force on 1st January, 1935. In 1936 the Government of India amended the Factories Act of 1934 with a view to clarifying the definition of all factories. It created a new group of adolescent workers between the ages of 15 and 17. Indian Factories Acts were altered in different directions by a series of amendments enacted in 1940, 1941, 1944, 1946 and 1947 to cope with labour problems from time to time.

After independence the first Factories Act was enacted in 1948. It is more comprehensive than the previous Acts. Though in framing the Act the Government had tried to implement many of the recommendations of the ILO the Act had been amended several times to meet the local situations. It came into force on 1st April, 1949. It defined a child as a person who has not completed his fifteenth year of age.

No child who has not completed his fourteenth year shall be required or allowed to work in any factory. The employer of a factory before employing a child or an adolescent must be in possession of a certificate of age to the effect that the person concerned is above the age of 14. The certificate of a person must be certified by a surgeon. The certificate is valid only for a period of 12 months.

Under Section 71(1) no child shall be employed or permitted to work, in any factory (a) for more than four and a half hours in any day and (b) during the night.

Explanation—For the purpose of this Sub-section 'night' shall mean a period of at least twelve consecutive hours which shall include the interval between 10 P.M. and 6 A.M.

(2) The period of work of all children employed in a factory shall be limited to two shifts which shall not overlap or spread

over more than five hours each ; and each child shall be employed in only one of the relays which shall not, except with the previous permission in writing of the Chief Inspector, be changed more frequently than once in a period of thirty days.

(3) The provision of Section 52 shall apply also to child workers and no exemption from the provisions of that section should be granted in respect of any child.

(4) No child shall be required or allowed to work in any factory on any day on which he has already been working in another factory.

Under Section 72(1) there shall be displayed and correctly maintained in every factory in which children are employed, in accordance with the provisions of Sub-section (2) of Section 108, a notice of periods of work for children, showing clearly for every day the periods during which children may be required or allowed to work.

(2) The periods shown in the notice required under Sub-section (1) shall be fixed beforehand in accordance with the method laid down for adult workers in Section 61 and shall be such that children working for those periods would not be working in contravention of any of the provisions of Section 71.

(3) The provisions of Sub-sections (8), (9) and (10) of Section 61 shall apply also to the notice required by Sub-section (1) of this Section.

Under Section 73(1) the manager of every factory in which children are employed shall maintain a register of child workers to be available to the Inspector at all times during working hours in a factory showing—

- (a) the name of each child worker in the factory,
- (b) the nature of his work,
- (c) the group, if any, in which he is included,
- (d) where his group works on shifts, the relay to which he is allotted, and
- (e) the number of his certificate of fitness granted under Section 69.

(1A) No child worker shall be required or allowed to work in any factory unless his name and other particulars have been entered in the register of child workers.

(2) The State Government may prescribe the form of the register child workers, the manner in which it shall be maintained and the period for which it shall be preserved.

Under Section 74 no child shall be employed in any factory otherwise than in accordance with the notice of periods of work for children displayed in the factory and the entries made beforehand against his name in the register of child workers of the factory.

Under Section 2(e)—The Mines Act, 1952—a 'child' means a person who has not completed his fifteenth year. Regarding the employment of children, Section 45(1) clearly states that no child shall be employed in any mine nor shall any child be allowed to be present in any part of a mine which is below ground.

West Bengal Shops and Establishments Act

Most of the States have passed Shops and Establishments Act to regulate working condition of the workers including Child labour. The West Bengal Shops and Establishments Act of 1940, regulates inter alia, the daily pay, holidays with pay, annual leave, employment of children and young persons, etc. These Acts generally cover all classes of shops and establishments and State Governments are free to apply these laws to such other areas or to such other classes of shops or establishments as the Governments think fit.

Under Section 9 of The West Bengal Shops and Establishments Act, 1963, no child who has not completed the age of twelve years shall be employed in any shops or establishments. All States except Andhra Pradesh, Kerala, Punjab, Tamil Nadu and Pondicherry have fixed the minimum age of employment at 12 years. By this Act 'young person' is a person who has completed his twelfth year but has not completed his fifteenth year. In no hotel, restaurant, eating house or cafe shall the hour of closing be later than eleven O'clock post meridiem. No young person employed in any shop or establishment shall be required or be permitted to work in such shops or establishments for more than seven hours in any one day, or for more than forty hours in any one week and the period of work of young persons in a shop or an establishment during each day shall be so fixed that no such person shall work for more than four hours before he

has had an interval at least one hour for rest. The Act further states that no young person is allowed to work after 8 P.M. But the States of Jammu and Kashmir and Madhya Pradesh have extended one hour more. Delhi has extended the working period by one hour only in winter. There is also part-time workers but each part-time employment should be taken to be independent of the other and each should conform separately to the provision of the Act.

In no hotel, restaurant, eating house or cafe shall the hour of closing be later than eleven O'clock post meridiem. Under Section 7 no person employed in an establishment shall be required or permitted to work in such establishment for more than eight hours and a half in any one day or for more than forty-eight hours in any one week or after the hours of closing of such establishment :

Provided that a person employed in an establishment may be required or permitted to work overtime in such establishment when

- (i) the total number of hours of his work including overtime work shall not exceed ten hours in any day, and
- (ii) the total number of hours worked overtime by him shall not exceed one hundred and twenty hours in any one year.

No person employed in an establishment shall be required or permitted to work in such establishment for more than six hours in any one day unless he has been allowed an interval of rest for at least one hour during that day. The Act further stipulates that the period of work and interval for rest for every person employed in an establishment shall be so arranged by the employer that the total working period including the interval for rest does not extend over more than ten hours and a half in any one day.

Under Section 11 a person employed in a shop or an establishment shall be entitled

- (a) to privilege leave on full pay for fourteen days for every completed year of continuous service,
- (b) in every year, to sick leave on half-pay for fourteen days on medical certificate obtained from a medical practitioner registered under the Bengal Medical Act, 1914 (Bengal Act, VI of 1914), or any other law for the time being in force,

- (c) in every year, to casual leave on full pay for ten days, and
- (d) in the case of women, to maternity leave in accordance with such rules as may be prescribed.

Provided that

- (i) privilege leave admissible under clause (a) may be accumulated up to a maximum of not more than twenty-eight days,
- (ii) sick leave admissible under clause (b) may be accumulated up to a maximum of not more than fifty-six days, and
- (iii) casual leave admissible under clause (c) shall not accumulate.

Under Section 17 shopkeepers and employers have to maintain and keep records, etc. (1) In every shop or establishment the shopkeeper or employer concerned shall, for the purpose of this Act, maintain and keep a register of employees in the prescribed form and such other registers, records and documents, and display such notices as may be prescribed and produce them on demand by the Inspector, Shops and Establishments. The register of employees, according to Section 17(2) maintained and kept under Sub-section (1) may, from time to time, be inspected and signed by the persons employed in the shop or establishment.

Every shopkeeper or employer shall furnish every person employed in his shop or establishment with a letter of appointment in such form as may be prescribed.

In the Child Labour (Pledging of Labour) Act, 1933, Government of India adopted certain legislative measures for the protection of children on the basis of the recommendations of the Royal Commission on Labour, which found that in many firms and industries children were so pledged by parents or guardians on agreements, written or oral, that they were subjected to worse working conditions for an advance or loan. The commission strongly recommended that the State should take measure to eradicate the evils. This Act of 1933 is the result of these recommendations. This Act was amended in 1950 and 1951.

The Act extends to the whole of India. Under Section 2 'an agreement to pledge the labour of a child' means an agreement,

written or oral, express or implied, whereby the parent or guardian of a child, in return for any payment or benefit received or to be received by him, undertakes to cause or allow the services of the child to be utilised in any employment. However all the bonded labour was abolished by the Bonded Labour System (Abolition) Act, 1976.

The Employment of Children Act, 1938. This Act and the Amendment Act (XV) of 1939 were designed solely to fight the evils suffered by Child labour in workshops. This Act prohibits the employment of children under 15 years of age in any occupation connected with the transport of passengers, goods, or mails by railways or a port authority within the limit of any port. The Act further prohibits the employment of children below the age of 14 in workshops connected with *bidi* making, carpet weaving, cement manufacturing including bagging of cement, cloth printing, dyeing, weaving, shellac manufacture, soap manufacture, tanning and wool cleaning. These provisions, however, do not apply to workshops where the work is done by the occupier with the aid of his family only or to any school established, aided or recognised by any State Government. State Governments are empowered to extend the scope of the Act to cover any other employment. Section 3A of the Act empowers provincial governments, after giving due notice in the official gazetteer, to add any description of process to the schedule.

Under this Act no child between the age of 15-17 can be employed or permitted to work in these occupations unless he is allowed a rest interval of at least 12 consecutive hours in a day. The period of rest will be at least 7 such consecutive hours between 10 P.M. and 7 A.M. as may be prescribed by the appropriate government. The Employment of Children Act enacted in 1938 was amended in 1939, 1948, 1949 and 1951. The amendment Act No. XLVIII of 1951 give effect to the provisions of International Labour Convention No. 90.

On the eve of the International Year of Child, the Government of India passed a legislation called 'The Employment of Children (Amendment) Act, 1978', which came into force from March 1, 1979 to do away with the defects of the previous Acts. The amended Act prohibits the employment of children in certain categories of unhealthy occupations in the Railways, particularly

in construction work, catering services, track and line work, as well as clearing and packing of ash-pits and cinder.

It provides for legal action for non-display of notice of certain particulars of child employment by the employers and empowers the competent authority to make rules and adopt measure to afford further protection to Child labour. The Child Labour (Regulation of Prohibition) Act, 1986 repeals the Employment of Children Act but reproduces two sections.

The Child Labour (Provision and Regulation) Act, 1986. To implement the Gurupadaswamy report in 1979 and also subsequent report of the Committee of Labour Ministers headed by Shri Sanat Mehata in 1983 the Act of 1986 came into effect, though this Act replaced the earlier children Act of 1938 and prohibited the employment of children in hazardous occupations, like the Act of 1938. It also includes a prohibition of work in the building and construction industry and advises a Technical Committee to identify hazardous occupations.

The Act intends to regulate the condition of work of children in employment where they are not prohibited from working. It also makes amendments to other Acts such as Minimum Wages Act, Plantation Labour Act, Merchant Shipping Act and Motor Transport Workers Act. In case of minimum age the Act makes an uniformity of the minimum age of employment.

According to this Act, 'Child' means a person who has not completed his fourteenth years of age. Under the Section 7 of this Act no child shall be required or permitted to work in any establishment for a period of more than 6 hours inclusive of one hour rest period in one day. It also states that no child shall be permitted to work between 7 P.M. and 8 A.M. No child shall be permitted to work overtime and also to work at two places on the same day.

Under Section 9(1) of this Act an employer of children must within 30 days from commencement of this Act give notice to the local inspector about the name and situation of the establishment, name of the person in actual management of the establishment, the address to which communications relating to the establishment should be sent and the nature of the occupation or process carried on in the establishment.

The Act enhances the punishment of those who violates existing Child labour legislation to imprisonment of three months to two

years and or a fine of Rs 10,000 to Rs 20,000. There is a provision of penalties to those who fail to give notice as required by Section 9

Apprenticeship Act. The Apprentices Act for learning trades, crafts and employment of children was enacted in 1961 to make them efficient to earn their livelihood.

Its main provisions are : No person shall be qualified for being engaged as an apprentice to undergo apprenticeship training in any designated trade unless he is at least 14 years of age and satisfies such standards of education and physical fitness as may be prescribed. If he is a minor, his guardian is required to enter into a contract of apprenticeship with the employer.

Under Section 30 an employer will be punished with imprisonment up to 6 months if he employs a person below the age of 14 years as an apprentice.

The Contract Labour Regulation and Abolition Act, 1970. The background of this Act is not of recent origin. The main character of industrial city is engagement of workers by contractors. Calcutta is not an exception to this rule. It is noticed that children are brought to be engaged in different types of work though the permissible age for working as contract labour is 18 and above. To eliminate this practice of employing Child labour in such factories some regulations are required to be framed and enforced.

The Contract Labour (Regulation and Abolition) Act, 1970 extends to the whole of India. It applies.

- (a) to every establishment in which twenty or more workmen are employed or were employed on any day of the preceding twelve months as contract labour ;
- (b) to every contractor who employs or who employed on any day of the preceding twelve months twenty or more workmen ; Provided that the appropriate Government may, after giving not less than two months' notice of its intention to do so, by notification in the official Gazette, apply the provision of this Act to any establishment or contractor employing such number of workmen less than twenty as may be specified in the notification.

Under Section 5(a) it shall not apply to establishments in which work only of an intermittent or casual nature is performed.

Section 5(b) further states that if a question arises whether work is performed in an establishment, Government shall decide that question after consultation with the Central Board or, a State Board, as the case may be, and its decision shall be final. The work performed in an establishment shall not be deemed to be of an intermittent nature :

- (i) If it was performed for more than one hundred and twenty days in the preceding twelve months, or
- (ii) If it is of a seasonal character and is performed for more than sixty days in a year.

Under Section 18 it shall be the duty of every contractor employing contract labour in connection with the work of an establishment to which this Act applies, to provide and maintain a sufficient supply of pure and potable water for the contract labour at convenient places and a sufficient number of latrines and urinals of the prescribed types in situations to be convenient and easily accessible to the contract labour in the establishment and also washing facilities.

A contractor shall be responsible for payment of wages to each worker employed by him as contract labour and such wages shall be paid before the expiry of such period as may be prescribed. It shall be the duty of the contractor to ensure disbursement of wages in the presence of the authorised representative of the principal employer.

Any contravention of the provisions regarding employment of contract labour will entail punishment with imprisonment for a term which may extend to three months, or with fine which may extend to one thousand rupees, or with an additional fine which may extend to one hundred rupees for every day during which such contravention continues after conviction for the first such contravention.

Under Section 28(1) the Government may appoint inspectors for overall inspection.

The Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979. The above Act, came into force in 1980, seeks to regulate employment and conditions of service of workmen who migrate on their own and those who were hired for work to other States through agents/contractors. To protect the migrant labour from exploitation the Act of 1979 ensures certain benefits, like displacement allowances, journey

allowance, residential accommodation, adequate medical facilities, suitable conditions of work, etc.

Minimum Wages Act : The preamble of our Constitution clearly states to fix up minimum rate of wages for various jobs to prevent exploitation of workers. The Minimum Wages Act, 1948, was enacted for this purpose.

The main object of the Act is to prevent overexaction of labour as well as exploitation of unorganised labour. It has made it a duty of the State to see that at least minimum wages are paid to the employees, irrespective of the capacity of the industry or unit to pay the same. The Act since its enactment has been amended several times to make it more and more effective for achieving this object. To give the material shape to the Minimum Wages Act, 1948, Government of West Bengal fixed the minimum wages for all classes of labourers, including agriculture labourers. The minimum wages of children and adults in agriculture Cinchona, Medicinal Plant Plantation and hotels and restaurants including Boarding Houses are stated below. For the daily rated employees the minimum rate of wages in agriculture shall be Rs 14.54 (per day without meals), Rs 621.52 per month respectively.

Unlike the Constitutions of United States, Canada, Australia and Switzerland, the Indian Constitution has conferred dominant powers to the Central Government. Parliament is competent to make most of the laws. Labour laws have been enlisted in three lists in our Constitutions : Central, Concurrent and States. Under the Government of India Act of 1935, the federal government abandoned its control on most of the labour legislations. Legislative and administrative power relating to labour has been distributed between the Centre and the State. In case of administration the State is holding suzerainty in its own periphery. The federal government exerts little control in this regard. Thus these laws often lack uniformity in principle and co-ordination. To remove these defects demand to keep all labour legislations in the hand of the Centre have become very strong in Parliament. Uniform labour legislations are possible to be enforced by the Centre. It will do away with the anomalous functioning of labour laws in the States. If the States have the right to legislate such laws, they will be guided by their own interest rather than national interest. Besides, lack of progress

in one State in regard to labour and industrial laws will constitute an obstacle to another State. Thus the States would have a difficult task. The industrially developed States will naturally encourage migration of labour. The harmful effects of such uncoordinated labour laws will also result in migration of many industries from one State to another upsetting its economy. This ultimately leads to an uneven development of industrial resources of the country.

In case of Shops and Establishments Acts the minimum age limit differs among the States. West Bengal Shops and Establishments Act restricts the employment of child under 12 years of age. If the neighbouring States such as Bihar or Orissa raises the age limit from 12 to 14 years, naturally there will be a flow of migrants to West Bengal from these States. Law will not be able to restrict such migration, as the Constitution guarantees to every citizen the right to 'move freely throughout the territory of India' and 'to reside and settle in any part of the territory of India'. In Switzerland and the United States there are cases of industries that were regulated in one canton or State being moved to another where no legislation had yet been introduced or where legislation was still of lower standard. It was reported that in order to employ children there was a tendency for the spinning factories of Zurich to emigrate to predominately agricultural cantons, where no labour laws yet existed. In the United States many cotton mills moved from north to south, not only to get access to the cotton fields and waterpower, but also to have at their disposal more cheap labour including Child labour. Sometimes the children themselves were sent from one part of the national territories to another. The shorter working week in industries in one province would very seriously effect the same industries in an adjoining province if the Child labours were permitted to work for a longer week. Such unfair competition hinders the economic development of the whole country and progress of labour legislation itself. In case of administration there must be some uniformity, otherwise migration again may appear from the strict law enforcing States to States having loose administration. A reference may be made from the preamble of the International Labour Organisation which laid down 'the failure of any nation to adopt humane and progressive labour laws is an obstacle in the way of other nations which

desire to improve the conditions in their own countries.' In respect of labour legislations, co-operation and co-ordination are essential. The decentralisation of legislative power can scarcely be advocated in the face of the world experience to the contrary in regard to labour laws and their working conditions. At first, legislative powers in respect of labour were retained by the States or provinces in the federal Government of the United States, Canada and Australia, which was found to be very inconvenient not only for uniformity and liberalisation of national labour legislations, but also for fulfilment of International Labour Conference. In August, 1942, a permanent Tripartite Labour Organisation composed of representatives of Central and State Governments, as well as of the employers and workers was set-up, with a constitution moulded on the basis of those framed by the International Labour Organisation. The main purpose of this Tripartite Labour Organisation was to promote and ensure the uniformity of labour legislations. Moreover, International Labour Organisation urges another ground for keeping labour legislation as a central subject.

Child labour is so widely prevalent that the States are unable to cope with this problem. The National Seminar on employment of children in India in the year 1975 stated that,

"The multiplicity of acts and lack of uniformity in legal provisions also hinder the process of enforcement. Efforts should be made for evolving a National Children's code incorporating provisions of the Children's Act with model rules, uniform standards and norms governing employment of children in various sectors and avocations."

So we can safely argue that so long each State acts independently Child labour laws become too much complicated and unwieldy as consequence.

Age Limit :

The legal provisions have thus clothed the Child labour so that their tender age is not abused. Various legislations have tried to define 'child' in terms of age. But the age varies from State to State and occupation to occupation. A number of enactments, viz., Factories Act, Plantation Labour Act, Mines Act, Beedi and Cigar Workers (Condition of Employment) Act,

Apprentices Act, West Bengal Shops and Establishment Act, Employment of Children Act. The Children (Pledging of Labour) Act. The Contract Labour Regulation and Abolition Act, all have defined the child as one between 12 to 18 years of age.

The Factories Act of 1948, Beedi and Cigar Workers (Condition of Employment) Act, Apprentices Act, prescribed the age limit to 14 years. But the Mines Act of 1952 raised the age to 16 years (for apprentice). Again Plantation Labour Act of 1951 lowered the age to 12 years. West Bengal Shops and Establishments Act adopted the age limit of Plantation Labour Act of 1951. The other States have varying age limits. Employment of Children Act of 1938 prohibited the employment of children below the age of 14 and 15 years respectively in different occupations. The Children (Pledging of Labour) Act of 1933 defines 'child' as being a person who is under the age of 15 years. The Apprentice (Amendment) Act, 1973 provided that a person below the age of 14 years will not be entitled to any apprenticeship training in any trade. Now we have to see the legislative definition of child (non-labour Acts).

The Central Children's Act, 1960, defines a child, as a boy who has not attained the age of 16 years, and a girl who has not attained the age of 18 years. A few States have also fixed the same ages, e.g., Assam Children's Act, 1971, Mysore Children's Act, 1964, Rajasthan Children's Act, 1970, Jammu and Kashmir Children's Act, 1969. In some States under the Children's Act, the minimum age of a child is uniform irrespective of their sex. The Bombay Children's Act, 1948, the Saurashtra Children's Act, 1954, the Travancore Children's Act, 1920, the Madhya Pradesh Children's Act, 1970. The East Punjab Children's Act, 1949, the U.P. Children's Act, 1951, and the Hyderabad Children's Act, 1951, have defined a child as a boy who has not attained the age of 18 years. This age has also been accepted by the West Bengal Children's Act, 1951. The Madras Children's Act, 1920 defines child as a young person between 14 and 18 years of age.

The Indian Constitution in its Article 24 lays down that,

"No child below the age of 14 years shall be employed to work in any factory or mine or engaged in any other hazardous employment."

The abuse of tender age can be stopped by bringing these vast unorganised sectors under legislative control. We see that children employed in different occupations and in different States are subject to different set of regulations and treatment. But our primary interest is to save the tender aged children from health risks, hazards and other forms of exploitation. The complex socio-economic conditions in different social milieu may not advocate the uniform age limit. But this should not rule out the possibility of acceptance of age uniformity, though Child labour (Prohibitions and Regulation) Act has brought about much needed uniformity in certain cases. Not only in our country, but also in almost all other countries of the world the non-uniformity of age regulation is still in existence. The most widely covered and most strictly regulated sector is industry. Fifty-four of the member countries for which such information is available, have fixed the minimum age for industrial employment at 14. A higher age-15 or 16 is the general rule in another forty-five and a lower one-12 or 13-in just over a dozen. In case of non-industrial employment national laws and regulations are naturally extremely diverse. The majority of countries have, in principle, a uniform minimum age of 14, 15 or 16 years for all employment (disregarding agriculture for the moment). Over 30 countries have prescribed lower ages (and a few prescribed no minimum age at all) for some or all types of non-industrial employment. Thus, of the 45 countries in which a minimum age higher than 14 is the general rule for industry, only 29 have fixed a similar age for most non-industrial employment. In the others the standard is 14 years or lower. To give a few examples : the minimum age is 14 for non-industrial employment, or at least for major categories of non-industrial work, in Peru, the Philippines, Singapore, Sweden, the United States (where federal legislation applies) and in Zambia, Kenya, Mauritius, Nigeria and Tanzania it is under 14, while in all these countries the minimum age for industrial employment is 15 or 16.

It is quite impossible to regulate uniform age limit in international level in the midst of various socio-economic strata. But the International Labour Organisation makes untiring efforts for enforcing uniformity of age. This attitude is reflected when governments are requested to send their replies to the question,

“Do you consider that the new recommendation should provide that, as far as possible, the minimum age should be fixed at the same level for all sectors of economic activity ?”

But in our country where dire poverty is manifest in every walk of life what will be the minimum age for Child labour ? The International Labour Organisation in its Convention No. 138 (1973), in Article 3 had clearly stated,

“The minimum age for admission to any type of employment or work which by its nature or the circumstances in which it is carried out is likely to jeopardise the health, safety or morals of young persons shall not be less than 18 years.”

If India ratifies this convention, millions of children will be thrown out of employment. In the present socio-economic condition in the country it is difficult to prescribe the minimum age. It will make the problem of unemployment and poverty more acute. But for the sake of uplifting the future standards of employment as well as to protect the children from such abuse of their tender age, at least we can appeal to our government to provide free and compulsory education to every child up to the age of 14 years. The law-makers must keep in mind the recommendation of the Convention No. 138. Age limits should be gradually raised to a level consistent with the fullest physical and mental growth and development of child workers as recommended by the ILO to save the children from the clutches of social injustice and deprivation and to ensure for them a happy normal growth in the national interest of every country.

Hours of Work :

The health and efficiency of the workers depend mostly on the hours of work. Long hours of work is harmful not only for moral and physical development, but also retard efficiency. Considering our climatic and geophysical conditions the hours of work should be lowered. The long working days minimise the working life. So it is less productive in the long run. Shorter working days is also less productive, but it provides more employment. The socio-economic conditions of India demands shorter working hours. The tender age of the working children should be protected from the onslaught of rigorous working hours. The environment of the working places, such as, hotels, restaurants, tea-stalls, and sweet-shops is most uncongenial to the

development of the child. But the working children devote 16 to 20 hours daily to serve the clients.

We find statutory provisions exist in India limiting the hours of work. A number of enactments, viz., Employment of Children Act, Factories Act, Plantation Act, Mines Act restrict the hours of work. The Factories Act of 1948 limited the two working shifts which will not extend more than $4\frac{1}{2}$ hours in one shift. Mines Act of 1952 Minimum Wages Act followed the same prescription of the Factories Act of 1948. But the Plantation Labour Act of 1951 Prescribed that no child shall be allowed to work for more than 27 hours in a week. According to the Child Labour (Prohibition and Regulation) Act, 1986, no child shall be permitted to work more than a period of 6 hours inclusive one hour rest in one day. Moreover short working hours, with rest intervals would enable the child workers to perform their duties efficiently and happily. The most surprising thing is that the employer hardly takes any care to make a difference between the child and adult worker. Naturally working children become the victim of exploitation. Working hour should be restricted in such a way that they may be permitted to part time education. The most striking thing is that no special provisions have been made regarding the condition of work, conservancy services whole-some drinking water, medical facilities, accident benefits, rest, etc., for the child workers. They should enjoy the same facilities like the adult workers.

The Implementation :

The real enforcement lies in the implementation. The positive side of implementation is that law should have value and validity. The greedy employers do not care the existing laws. Like all other countries several industrial activities such as manufacturing, mines, construction and various kind of transport are dealt with by separate laws and regulations. West Bengal shops and Establishment Act regulates the working conditions of employees in shops and commercial establishments. But most of the employers do not know the existing laws.

On the other hand the immature children are in the dark about legal protection. Like all laws, labour laws should be properly administered. The essential feature of the administration

of labour law is inspection. A peculiar feature is that the employer always tries to draw a screen before the Inspector. Inspector hardly gets any opportunity to identify the child for verifying his age and other working conditions. Children do not come openly to the Inspector to report about their grievances. Rather they run away with the Inspector's arrival. In some cases the children are also directed by the employer to stop work to make them look as non-workers in the eye of Inspector. His trick does not end there. Often they are reported as the employer's relatives or neighbours. When the employer is asked about the presence of the child in the shop the reply comes that the child has brought his tiffin or a message from his home, or he is simply playing there, as there is none in the home to look after the child. If the employer fails to hide the identity and age of the child, then he has no alternative but to woo the sympathy of Inspector. The employer states that he has given refuge to a poor and destitute child and gets his work done by providing him food. Again the children express their apathy to disclose their identity if any unknown man comes and asks them such questions. The employer also takes the opportunity. He designates the Inspector as a police-man who had come to arrest them. Hearing this they run away and the Inspector cannot contact them to collect any information. As a last resort he tries to extract sympathy of the Inspector by appealing to his sentiment. Saying 'Sir, let us do our business'. At times, such tactics yield positive results. But in case of Non-Bengali establishments, they are more obedient to the Inspecting Officer. To convince the Inspector they can adopt any sort of measure, even offer him hush money. Pleading for exemption on humanitarian ground is also a tactics. Some times Inspector also feels if the Act is strictly enforced, these children will be thrown out of employment and ultimately will have to take refuge on the street. So they consider it as a minor violation of the law and do not take any stern step.

Most of the employers do not maintain any official register for child workers. Those who maintain it, always indulge in mal-practices. A boy of 11 or 10 is shown in the register as of 12 or 14 (years of age) to avoid legal hazards and penalty. Many others do not maintain any record at all in black and white. This practice has been divulged in the report of the Labour Bureau, Government of India in 1954. It runs as follows,

“... it is however doubtful if statistics compiled from the returns under the Factories Act tell the whole story regarding Child labour. For, it is well within the experience of a factory Inspector, as well as other offices engaged in field enquiries, that no sooner they make their appearance on the scene quite a large number of children run away from the factory premises. These are often children below the minimum age of employment.”

Besides they get help from the paid rowdies of the locality in this work, who prevent such inspection by various means, even by creating disturbance. The children are thus always shielded from legal hazards. Under Section 19 of West Bengal Shops and Establishments Act of 1963 the Inspector is appointed, generally to make such inspection as may appear to him to be necessary for satisfying himself that the provisions of this Act and the rules are duly observed. Every shop employer is required to maintain a ‘Visit Book’ in which an Inspector visiting the shop or the establishment records his remarks mentioning the date and time of his visit and signing his name. This legal provision is applicable only in cases of posh hotels, restaurants, tea-stalls and sweet-shops. But for shortage of staff it is not possible to inspect all such shops. Each Inspector has to visit 5,000 or more shops and establishments on an average and only one Deputy Chief Inspector is in direct charge of supervising the work of so many Inspectors of Calcutta and Howrah as also of mofussil areas. In spite of the above facts more effective administration and enforcement could have been possible if more posts of supervising Inspectors were created according to the re-organisation scheme already submitted to Government.

The main problem of implementation of this law is widespread corruption among such staff. It is so rampant now in all sectors that all sorts of welfare measures are becoming void. Such violation of law can be easily escaped by offering money to the staff concerned. In India corruption has spread over every sector of administration which thwarts taking all sorts of progressive steps.

The problem of inadequate or non-implementation of both laws and development measures is in existence in every society. Implementation is easy in case of an established social system.

Our social system has not yet been unified. The capitalist, feudal, and tribal system of thousand years old still co-exist. So legislations come in conflict with these diverse values. The chief Justice of India Mr. Y. V. Chandra Chur rightly said in this connection that,

“The advent of a pluralistic society, which now consists of a working class which is militantly conscious of its rights, women who are emancipated from years of bondage, and Dalit Panthers whose ire has been aroused, has created the need for a drastic revision of the laws.”

The gap between legislation and its implementation has reduced the effect of numerous laws. These also reveal several defects in their enactment. No single department is entrusted with the framing of the laws. So it is causing too much administrative confusion. The existing laws are age-old British laws which should be critically reviewed in the light of changing time and consequent social needs. Unless the legal system adopted itself to the changing needs of the people, such laws should not be passed.

The main criticism is that there is no minimum age limit prescribed for working children and it has legitimized Child labour. Recent attempt by the task force for the integration of all laws relating to children into a Child Labour Code, and for the creation of a composite national machinery to function as an Ombudsman is a welcome step. However, the State Government which has the responsibility of enforcing Central Act have not shown much interest.

Despite a plethora of legislations to safeguard the interest of Child labour it only covers 10 percent of the working children. Legislation cannot by itself deal with the social problems in an effective manner unless it is backed by the support of the people. Without people's awareness and support the whole thing will merely be a negative approach to ban using Child labour. The main problem relates to the economy aspects. Only drastic socio-economic overhauling can cure this social disease.

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Conclusion

EVEN after over four decades of independence, at least some of the economic activities in Calcutta are being run by Child labourers. Political unwillingness coupled with the middle-class sentiment that the working children, if ousted from employment, will die, make the situation more acute. When one hurls superlative epithets like magnificent city, 'City of Joy', etc., at Calcutta, he forgets the darker sides of the city, that dark deeds done in the dark alleys of the city which are often stained with child's blood. Ramjatan Mondal, aged 12 years, was found lying dead on the staircase between the second and third floor of a six-storeyed building on Princep Street on 24 June, 1980 (Police general diary no. 1988). Ramjatan came to the city to earn his bread from the district of Madhubani, Bihar, and somehow managed to designate himself as a hotel worker. Ramjatan's case is a stark instance of the fate of numerous Child labourers in Calcutta.

Calcutta was not born overnight. Job Charnok's advent on 24 August, 1690, invited maritime traders from all over the world and Calcutta gradually grew into a throbbing metropolis not without exploiting children as labour. With the growth of population and breakdown of the rural economy, many had to rush to the urban areas for seeking employment. The children were not exception. They had also come with the adults with the hope of survival. As a result millions of children have

thus taken shelter in Calcutta and its suburbs and other urban areas and found employment in tea-stalls, sweetmeat-shops, hotels, restaurants and private domiciles. Absence of family life and comfort, over-work in hazardous jobs, scanty wages and unhygienic environments of their working places have thrown them into a condition of disease, squalor, pestilence and slow death. Over and above, the unscrupulous greedy employers whose main motive is to make maximum profit, exploit these working children in every possible way.

This study was conducted in urban areas, as the working children are more exploited in urban areas and have to face various occupational hazards and temptation of other urban vices. To unfold the nature of this problem, 800 child workers in Calcutta, had been selected for study.

The main cause for abnormal increase in the number of Child labour now is the flow of migrants from the villages to the urban areas in search of employment, as a result of disintegration of village economy and pervading poverty among the landless and working classes there. Besides, there are other causes like, flood, natural calamities and drought, which affect a large section, at times. The study has revealed that among the migrants, 26.87% have come from Bihar to the city of Calcutta, 7.63% from Orissa, 2.62% from Uttar Pradesh, 0.62% from Tamil Nadu, 0.5% from Kerala, 0.25% from Madhya Pradesh, and 0.37% from Andhra Pradesh. Many have also come from Bangladesh. Among the States, Bihar occupies the first position in regard to despatch of migrants. Internal migration within West Bengal constitutes 58.76% of the total child workers. Among the district of West Bengal, the migrants are largest in number from the District of Midnapore (25.26%). Next to Midnapore stands the District of 24-Parganas (13.63%), and Howrah (11.62%) has the third position. The next positions in this sliding scale are occupied serially by Calcutta (2.63%), Hooghly (1.88%), Nadia (1.5%), Burdwan (0.76%), Murshidabad (0.62%), Bankura (0.37%), Darjeeling (0.25%), Malda (0.12%), and Birbhum (0.12%). It was observed that majority of these migrant children belong to 11-14 age-group. The lower the age, the lower the rate of migration. A child usually joins the work-force at a lower age.

Mostly the migrant children have come from the families

of landless and marginal farmers. Such migration clearly shows the inequality in the distribution of land. Driven by acute poverty, most (91.25%) of them have left their villages and become floating children of the city. Domestic quarrel (2.5%), urge for self-dependence (0.63%), and abandoned child (3.12%) have also caused such migration. These causes have also emerged from poverty. Communal riots (2.5%) and political unrest have also added up their number. Most of the migrants are 'linked-migrants'. Thus a 'rural and urban chain' is formed, as they keep regular contact with their villages. Continuity of migration is also noticed, as they bring new children later. However, migration to the city of Calcutta is not of recent origin. In earlier times when railways had not been constructed, men came to the city on foot. Children also came with their families or parents.

Children start their life in the city by joining the labour force. As regards the economic condition of these families, 56.25% have no land, 6.86% have only residence and no land, 30% are marginal farmers, and 6.89% are small farmers.

Caste, an important social unit, performs the most important function of division of labour and profession according to caste affiliation in rural India. Thus social hierarchy and economic hierarchy are interwoven in the rural setup. The growing dissatisfaction with such an economic class structure is the symbol of dissolution of caste hierarchy in many parts of rural India. But even now, caste is identified with occupation patterns in the villages. In case of West Bengal, it is found the children have come from Brahman, Kayastha, Kshatriya, Baidya, Karan, Mahishya, Sadgop, Subarna Banik, Gandha Banik, Goala, Kamar, Napit, Teli, Tanti, Raju, Barujibi, Sunri, Dhopa, Jele, Bagdi, Jugi, Pod, Namasudra and Newar castes, and in case of Bihar, they have come from Brahman, Kayastha, Kshatriya, Jadava, Baniya, Mahishya, Teli, Kharadi, Mali, Dhopa, Kurmi, Chamar and Muslim castes and communities. In case of Orissa, they have come from Brahman (Utkal), Karan, Kayastha, Mahishya, Bhandari, Teli, Bareejibi, Mali, Pod and Dhopa castes. In case of Uttar Pradesh, they have come from Kshatriya, Kayastha, Jadava, Baniya, Teli, Gorhi, Kurmi and Chamar castes. Migrants from Bangladesh belonged to Brahman, Kayastha, Baidya, Sunri, Teli, Dhopa, Jugi and Namasudra

castes. In the case of Andhra Pradesh and Tamil Nadu, they have come from the non-Brahman castes mainly. Muslim children of West Bengal, Bihar, Uttar Pradesh, Kerala and Orissa are found to serve the city-dwellers. In this study it is observed that before migration, these children pursued their traditional occupations.

Most of the children, are, however, found to be employed in the unorganised sector. The highest concentration is 5-7 workers in an establishment. Next is 2-3 workers in an establishment. One-worker establishments constitute only 5% of the total, and lowest category is 26-30 workers per establishment. As soon as the child gets an employment, he loses the freedom of playing and mixing with other children and rest, and has to do the duty of serving the clients only.

Among the working children, 0.63% earn Rs 0-5.00 per month, 3.12% Rs 6.00-10 per month, 13.75% Rs 11.00-15.00, 23.75% Rs 16.00-20.00, 24.37% Rs 21.00-30.00, 11.25% Rs 31.00-50.00, and 1.87% Rs 51.00-75.00 per month. Along with monthly income, they are provided with food. It was also found that 0.63% children earn Rs 75.00-100.00 per month without food. It is to be noted that 20.63% children are unpaid. They work without any cash remuneration. Besides monthly income, they have other subsidiary income, though their percentage is very small. Out of 11.88 per cent of this group, 8.75% children get bonus (in cash). It is noteworthy that they earn this little extra amount by working for a few hours more beyond the scheduled duty. 5.62% children work only 8 hours a day, 3.75% work 9 to 10 hours a day, 67.5% 11 to 15 hours a day, 20.63% 16 to 18 hours a day, and 2.5% 19 to 20 hours a day. These long hours of confinement in the dark unhealthy places can only be compared with slavery. But the extent of exploitation does not end there. Half-day leave in a week is allowed to 1.25% children, 15% children get 1-day leave in a week, 5.62% children are entitled to enjoy 1½-day's leave in a week, and 4.37% children enjoy 2 days' leave in a week. 0.63% children are allowed to enjoy holiday when occasion demands. The rest period is also affected, having generally no good or healthy place to retire, and by doing domestic chores of the employer and at times in personal bickerings.

It shows that 38.13% children get no rest. ½ hour rest in a

day is enjoyed by 4.37% children, 7.5% children enjoy 1 hour rest, 3.13% children get rest for one hour and half. 42.5% get 2 hours rest, and 4.37% children get 3 hours rest daily. But in fact, they get no rest. They have to take bath and meal and do their routine morning duties during the rest time.

The standard of literacy among the Child labour is very low. The percentage of illiterate children in West Bengal is 28.75%, whereas 31.87% children are illiterate in case of other States. 0.63% children of West Bengal and outside West Bengal have attained education up to secondary level. The proportion of illiteracy was found to be higher among the working children, the percentage being 60.62.

The most sordid aspect unearthed by this study is the existence of so-called 'bonded-labour' in the city of Calcutta. Here 'bonded' child workers cannot become free until the debt incurred by their fathers is fully repaid by their labour. Two cases of such 'bonded child' workers were found during the survey.

Information regarding the attitude of others towards Child labour is scanty. The general attitude for and against functioning of Child labour, as found during this survey, are as follows :

- (1) Common people want the abolition of Child labour and to rear them up in the normal way by imparting education and taking proper care, till they grow up as normal men. They are against their exploitation and spoiling altogether a large potential manpower.
- (2) Some people say that the child workers are pulling back the economy by offering cheap labour and creating reciprocal unemployment for the adults.
- (3) Some others say that they are retarding the economic growth of the country and affecting wage-structure.
- (4) Some told that they are uneducated, unskilled and generally have a bad association for which they are totally spoilt and become habitual delinquents and anti-socials, thus harming the society and spoiling them for ever.
- (5) Another group told that they affect and hamper productivity to a large extent.
- (6) Yet another group told that they cause the loss of millions of man-hours by keeping away the adult workers.

- (7) Some told that their employment causes breach in family life.
- (8) Some of the child workers are made to work without pay, as 'bonded labour'.
- (9) The child workers get no proper rest, recreation and holiday.
- (10) Their wages are very low.
- (11) They migrate to cities and urban areas due to poverty and total up-set of the village economy in the hope of getting employment, as the industrial setup of the city and suburbs gives them scope for various employments. They are preferred and readily employed as they are cheap labour.
- (12) Rapid population growth is said to be a potential cause for the increase in the number of Child labour.
- (13) The overall opinion of all sectors is however against employment of Child labour and in favour of imposing ban on it by legislation.
- (14) Some demand raising of the age to 15 years, improving both the working condition and wages and imparting them necessary training on job-basis to raise their skill for productivity and future prospects.
- (15) All sectors want to stop their exploitation by legislation.
- (16) Some people demand that the Government should take immediate preventive steps to curb this social evil. The political parties and social organisations should cooperate in this effort.
- (17) Some people are of the view that abolition of Child labour is not possible in the present state of economy of the country.
- (18) A few has expressed that this affects the education and the process of socialisation of the children.
- (19) 'Learning while earning' has been suggested as a remedy.
- (20) Some have a neutral attitude and argue that 'the problem of Child labour is not peculiar to India alone',—it exists everywhere in the world and is an age-old problem. Ameliorative measures have therefore to be taken to tackle this. Its abolition will create various other social problems.

- (21) Those who are against have stated that :
- (a) It increases infant mortality rate.
 - (b) Degenerates socio-cultural atmosphere.
 - (c) Affects the social and economic infrastructure.
 - (d) Vitiates the ecology of welfare.
 - (e) Contributes to the formation of delinquent gangs and anti-social elements.

The percentage of individuals and groups varied in this 'Opinion Sector'. But the general trend was in favour of abolition. A smaller number opined for improvement of their working condition and wages, as well as to impart them proper training to raise productivity. Most of them have opined for stopping the exploitation of Child labour, as is being done now. But the vein of the majority opinion is that 'Child labour' cannot be altogether abolished without overall economic development of the whole country, by which most of the adults could get employment and are able to look after and bring up their children properly.

Administrators, journalists, educationists, social workers, political and trade union leaders too have more or less the same view about 'continuance or abolition of Child labour'.

It is high time that a start should be made to eliminate all forms of Child labour in every country, to save a greater part of humanity from utter ruin. The Government of India has begun taking steps in this respect and has adopted quite a number of preventive and ameliorative legislative measures. But this social evil has not been eliminated, as yet. From 1912, when the country's first Elected Parliament was constituted, up to 1980, as many as 1,873 Central Acts were passed. If the State Laws, Rules and Regulations are added to it, legislatively India is one of the foremost countries of the world that has been attempting to eradicate it by all means. Besides the Constitutional Provisions, The Factories Act, 1948, The Mines Act, 1952, The Plantation Labour Act, 1951, The Merchant Shipping Act, 1958, The Motor Transport Workers' Act, 1961, The Atomic Energy Act, 1962, The Beedi and Cigar Workers (Conditions of Employment) Act, 1966, The Children's (Pledging of Labour) Act, 1933, The Employment of Children Act, 1938, The Apprenticeship Act, 1961, The Contract Labour (Regulation and Abolition) Act, 1970, The Bonded Labour (Abolition) Act, 1976, The Shops and Establishments Act, The Minimum Wages Act and

much published Child labour (Prohibition and Regulation) Act, 1986 and many other related Acts were enacted to safeguard the children from this evil and exploitation but the conditions of Child labour remains unchanged. Apart from inherent loopholes in these pieces of legislation, a close study on the implementations of the existing legal provisions relating to Child labour reveals that they have not applied in a single case. Greedy employers exploit the children on the plea that they are helping the poor children otherwise they will die. State Government reluctance to tackle the problem leads the decaying process.

The prohibition of employment of children has been one of the basic concerns of the ILO.

A very common view is that legislation is the only way to solve the problem of Child labour. But we forget that Legislation is only a means, albeit one of many, to achieve the larger objective of ameliorating the condition of Child labour.

The working children are still being deprived of all the benefits of existing laws. The onus of proper implementation lies on the Administration which is very slow moving, apathetic and corrupt.

Perhaps the most positive administrative step so far has been taken by the government in the recent Child labour (Prohibition and Regulation) Act, 1986, where in a technical Advisory Committee is proposed to be set up to review and advise on Child labour engaged in hazardous occupations.

As a next rational step, the government has adopted a National Policy on Child labour comprising three main factors : legal action plan, focussing of general welfare and development programmes on Child labour and their families and a project based on plan of action. In the initial stage ten projects in ten areas have been identified to cover up to 30,000 child workers.

Suggestions

It is neither possible nor desirable to abolish Child labour at the present stage. Abolition will rather aggravate the problem. The real solution, therefore, lies in combating the basic causes—social and economic. Total economic development coupled with social justice is a long-term measure. To combat the problem successfully, we should adopt both long-term and short-term measures. Our long-term measures should be to achieve the

'abolition of Child labour', gradually by socio-economic and legislative measures. Child welfare problems cannot be isolated from social problems. The urban child is by far the greater sufferer than the rural child, who gets at least a morsel of food everyday and family care, which all the working children in the cities do not get.

It is revealed from the study that most of the working children in Calcutta are migratory in nature, they flock to the city from the family of underprivileged class to supplement the family income. As a comprehensive measure the scope of the existing rural development as well as antipoverty schemes like the National Rural Employment Programme, Rural Labour Employment Guarantee Programme, Tribal Area Development Programme for rural development should be expanded to cover the Child labour families so as to bring them above the poverty line. A programme should be initiated to improve and strengthen the position of women providing financial input by way of giving employment to enhance the family income which ultimately reduces the Child labour.

Family planning programme is to be implemented through dissemination of information and awareness to control the increasing population.

Growth and development should be equally emphasized for development of rural economy and eradicate inequality of consumption, Land reform and eradication of illiteracy should also get priority and in conformity with the Directive Principle of State Policy a compulsory primary education system should be introduced.

The time has come to recognise the rights of the child and to take necessary step to promote the cause of child development and it should be reflected in our national policies and programmes.

As a short-term measure a multi-disciplinary approach to ameliorate the condition of the Child labour is necessary. Considering the gravity of the problem, the following measures can be taken :

- (1) A regular research, specially on hazardous occupation, to work out the correct figure of Child labour in various occupations and analysis of information related to every aspect of Child labour to be done to unfold the magnitude of the problem.

- (2) For solution of the problem a separate ministry in the

centre as well as in the state which will look after both the interest of working and non-working children should be set up.

(3) A Parliamentary Committee or an expert team should be set up to investigate the debt bondage and take necessary action to rehabilitate them in society.

(4) To improve the working condition, children should be provided with all sorts of facilities as enjoyed by adult worker. Statutory provisions regulating the condition in terms of work, medical, educational, housing, insurance, games and sports facilities in regard to employment of children and minimum wage structure should be introduced.

At least once in a month organised recreation facilities and entertainment should be arranged for them to create in them a zeal in daily life.

(5) Night-work for children must be totally prohibited. Constant attention should be paid to keep the working place hygienically clean and shelter should also be provided to these workers with all sorts of amenities, in which they can live in a homely atmosphere in the night and at rest time. Night shelter with all required facilities may be provided in certain areas in Calcutta to provide shelter to the working children.

(6) Periodical health checkup and free medical treatment should be given. Special emphasis should be given on personal hygiene as well as on the total environment of the working place. Working children are to be covered by the Health Insurance Scheme.

(7) To implement the rights and benefits guaranteed under the Constitution provision should be made for education, vocational training, health and adequate diet. Efforts should be made for a link between non-formal and formal education. Such education should include health and nutrition as well as career counselling.

(8) A vast number of Child labour is in the unorganised industries which are outside the purview of legal apparel. Members of voluntary organisations and professionals, community leaders, law enforcement personnel and Municipal Commissioners are required to be trained to create social pressure on the employers to protect the interest of workers.

(9) Every employer should be bound by law to intimate the government about the service condition of the working children.

(10) There should be a statutory machinery on Child labour, Ombudsman or Child Labour Commission, as recommended by the Task Force, 1989, which can suo moto investigate complaints and order relief.

(11) The problem of Child labour has drawn little media attention. The problem should have a good media coverage. NGO and government departments should be effectively involved for awareness campaign to change social values through seminars, workshops, rallies and by erecting hoardings in the main city places.

(12) Physical ability is the only criterion for recruitment of children. The ailing child has to take shelter on the footpath when he falls ill. So, by a comprehensive plan, effective steps should be taken to rehabilitate the ailing children who are no longer labourers.

(13) Annual action plans should be formulated with close coordination of different government departments and all other organisations related to child welfare.

(14) There should be effective coordination between government and non-government organisations regarding the action plan for the welfare of working children.

(15) The State Government should come forward to stop exploitation of Child labour by strict implementation of several laws and regulations relating to Child labour and the enforcement machinery should be accountable to the public.

(16) Periodical studies are needed to assess the condition of the Child labour and every action programme is to be evaluated.

(17) Unlike other unorganised groups Child labour has no lobby. Child labours should be educated to send their representative for collective bargaining for their needs.

(18) A national child labour welfare fund may be created to meet the expenses of the welfare programmes for the children.

It needs to be borne in mind the resolution of the U.N. Seminar on the elimination of Child labour (Geneva, Nov. 1985) and immediate measures have to be taken to stop sheer exploitation of Child labour. Gradually, working children have to be covered under some project-based plans. After all, Child labour is a disgrace for any civilized society.

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Mr. Swapan Kumar Sinha, a distinguished scholar and social worker, has been associated with research work in the field of social science for the last two decades. He received his Ph.D. from Calcutta University for his pioneering work on Child labour. The main emphasis of his work has all along been directed towards the welfare of the Child labour. As a founder Jt. Secretary of the 'SAVE THE DEPRESSED CHILDREN' association, he has launched movements throughout India for the realisation of the right of the child. He is also closely associated with many other social welfare and research organisations.

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